

**HOUSE JOURNAL
60TH LEGISLATURE
FIRST LEGISLATIVE DAY**

Helena, Montana
January 3, 2007

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 60th Legislature of the State of Montana was called to order by the Honorable Brad Johnson, Secretary of State of the State of Montana.

The Montana National Guard under the leadership of Patrick Flaherty posted the colors. Secretary Johnson led the Pledge of Allegiance to the Flag.

Invocation was given by Pastor Bryan Hughes from Grace Bible Church, Bozeman. Secretary Johnson thanked the Montana National Guard and Pastor Hughes.

Chief Clerk Marilyn Miller called the roll of the members of the House of Representatives of the 60th Legislature.

District #1, Ralph Heinert
District #2, Chas V. Vincent
District #3, Douglas E. Cordier
District #4, Mike Jopek
District #5, George Everett
District #6, Bill Beck
District #7, Jon Sonju
District #8, Craig Witte
District #9, Bill Jones
District #10, Mark W. Blasdel
District #11, Janna Taylor
District #12, Rick Jore
District #13, Pat Ingraham
District #14, Gordon R. Hendrick
District #15, Joey Jayne
District #16, Shannon J. Augare
District #17, Rick Ripley
District #18, Jesse O'Hara
District #19, Mike Milburn
District #20, Deborah J. Kottel
District #21, Tim Callahan
District #22, Bill Wilson
District #23, John W. Parker
District #24, Eve Franklin
District #25, Sue Dickenson
District #26, Bill Thomas
District #27, Llew Jones
District #28, Edith J. Clark
District #29, Edward B. Butcher
District #30, Dave Kasten
District #31, Margaret H. Campbell
District #32, Jonathan Windy Boy
District #33, Bob Bergren
District #34, John L. Musgrove
District #35, Wayne C. Stahl

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District #36, Julie E. French
District #37, Walter L. McNutt
District #38, Edward A. Hilbert
District #39, Carol Lambert
District #40, Bill McChesney
District #41, Norma Bixby
District #42, Veronica Small-Eastman
District #43, Duane Ankney
District #44, William E. Glaser
District #45, Alan Olson
District #46, Ken Peterson
District #47, Dennis Himmelberger
District #48, Wanda Grinde
District #49, Kendall Van Dyk
District #50, Tom McGillvray
District #51, Robyn Driscoll
District #52, Arlene Becker
District #53, Elsie Arntzen
District #54, Gary Branae
District #55, Michael Lange
District #56, Ernie Dutton
District #57, Penny Morgan
District #58, Krayton D. Kerns
District #59, Scott L. Boggio
District #60, Jack Ross
District #61, Bruce Malcolm
District #62, Bob Ebinger
District #63, Jennifer Pomnichowski
District #64, Franke Wilmer
District #65, Brady Wiseman
District #66, Mike Phillips
District #67, John Sinrud
District #68, Scott Sales
District #69, Jack Wells
District #70, Roger Koopman
District #71, Diane Rice
District #72, Debby Barrett
District #73, Art Noonan
District #74, George C. Groesbeck
District #75, Jim Keane
District #76, Jon C. Sesso
District #77, Scott Mendenhall
District #78, Jill Cohenour
District #79, Dave Gallik
District #80, Mary M. Caferro
District #81, Galen Hollenbaugh
District #82, Hal Jacobson
District #83, Harry W. Klock
District #84, John Ward
District #85, Cindy Hiner
District #86, Dan Villa

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District #87, Ron Stoker
District #88, Bob Lake
District #89, Gary MacLaren
District #90, Ray Hawk
District #91, Kevin Furey
District #92, Robin Hamilton
District #93, Ron Erickson
District #94, Dave McAlpin
District #95, Diane Sands
District #96, Teresa K. Henry
District #97, Michele Reinhart
District #98, Holly Raser
District #99, Betsy Hands
District #100, Bill Nooney

All members present. Quorum present.

Brad Johnson, Secretary of the State of Montana, extended greetings to the members on behalf of the State of Montana and then introduced the Honorable Karla Gray, Chief Justice of the Supreme Court of Montana. Chief Justice Gray administered the following oath of office:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana and that I will discharge the duties of my office as a member of the Sixtieth Legislature, with Fidelity so help me God."

Secretary of State Johnson informed the members of the House of Representatives that he had been advised that all oaths of office had been signed and received. These were presented to Chief Justice Gray for her acknowledgment and then filed in the Secretary of State's office.

Secretary of State Johnson called for nominations for Speaker of the House of Representatives.

Representative Mike Lange nominated the Honorable Scott Sales, House District 68, to be Speaker of the House.

Representative John Parker moved the nominations be closed.

Motion carried unanimously.

Secretary Johnson declared that Representative Sales had been duly elected Speaker of the House of Representatives for the 60th Legislature. Speaker Sales was escorted to his chair on the Rostrum. Speaker Sales gave brief remarks and introduced his family.

Representative Sales moved the following be nominated as officers of the House of Representative for the 60th Legislature:

Chief Clerk - Marilyn Miller
Sergeant-at-Arms - Nancy Clark

The House officers were unanimously elected.

Representative Lange moved that Representative Debby Barrett be nominated as Speaker Pro-Tem of the House of Representatives.

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Representative Debby Barrett was unanimously elected as Speaker Pro Tem.

The House officers were unanimously elected as follows:

Representative Mike Lange, Majority Leader; Representative John Parker, Minority Leader; Representative Gary Maclaren, Republican Whip; Representative Tom McGillvray, Republican Whip; Representative Margaret Campbell, Democratic Whip and Representative Dave McAlpin, Democratic Whip.

Speaker Sales recognized House Minority Leader, John Parker who then spoke to the House on behalf of the Minority.

Representative Lange moved that the House rules contained in House Resolution No. 1 be adopted as the temporary House operating rules of the 60th Legislature.

Representative Bob Bergren made a substitute motion which stated:

Substitute motion: Amend the motion to adopt HR 1 as temporary operating rules of the House with the following change:

H10-20. Speaker's duties. (1) The Speaker is the presiding officer of the House, with authority for administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

(2) The Speaker shall see that all members conduct themselves in a civil manner in accordance with accepted standards of parliamentary conduct. The Speaker may, when necessary, order the Sergeant-at-Arms to clear the aisles and seat the members of the House so that business may be conducted in an orderly manner.

(3) Signs, placards, or other objects of a similar nature are not permitted in the rooms, lobby, gallery, or on the floor of the House. The Speaker may order the galleries, lobbies, or hallway cleared in case of disturbance or disorderly conduct.

(4) The Speaker shall appoint and may remove the members of all standing and select committees not otherwise specified by law or rule. Prior to making committee assignments, the Speaker shall take into consideration the recommendations of the minority leader for minority committee assignments and the appointment of the minority vice chairmen. For all standing committees other than the Rules Committee, the party division on the committees must be the same as the party division on Senate standing committees. For the Rules Committee, the Speaker shall determine the total number of members and the party division, but each party shall appoint its own members. The Speaker may appoint an additional at-large member to the Rules Committee from either party.

~~(4)(5)~~ (5) The Speaker shall sign all necessary certifications by the House, including enrolled bills and resolutions, journals (section 5-11-201, MCA), subpoenas, and payrolls.

~~(5)(6)~~ (6) The Speaker shall arrange the agendas for second and third readings each legislative day after good faith consultation with the House Democratic Leader and the House Republican Leader. Representatives may amend the agendas as provided in H40-130.

~~(6)(7)~~ (7) The Speaker is the chief officer of the House, with authority for all House employees. The Speaker may seek the advice and counsel of the Legislative Administration Committee regarding employees.

~~(7)(8)~~ (8) The Speaker may name any member to perform the duties of the chair. If the House is not in session and the Speaker pro tempore is not available, the Speaker shall name a member who shall call the House to order and preside during the Speaker's absence.

~~(8)(9)~~ (9) Upon request of the House Leader of the opposite party, the Speaker will submit a request for a fiscal note on any bill.

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The substitute motion failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

The motion passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Lange moved the Joint rules contained in Senate Joint Resolution No. 1 be adopted as the temporary Joint operating rules of the 60th Legislature. The motion passed.

Representative Lange moved that the Speaker appoint a committee of two members to notify the Governor that the House is now organized and ready for business. The motion passed.

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Speaker Sales appointed the following members to inform the Governor:

Representative Penny Morgan, Chairman
Representative Margaret Campbell

Representative Lange moved that the Speaker appoint a committee of two members to notify the Senate that the House is now organized and ready to do business. The motion passed.

Speaker Sales appointed the following members to inform the Senate:

Representative Walter McNutt, Chairman
Representative Bill Wilson

Representative Lange moved that Speaker Sales appoint a committee of two members to notify the Supreme Court, by letter, that the House is now organized and ready to do business. The motion passed.

Speaker Sales appointed the following members to inform the Supreme Court:

Representative Mark Blasdel, Chairman
Representative Holly Raser

Speaker Sales stated the House would be at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

REPORTS OF SELECT COMMITTEES

A committee from the Senate was admitted and Senator Elliott reported to the House that the Senate was organized and ready for legislation from the House.

The committee appointed to notify the Senate that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is ready for business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Governor that the House is ready for business reported it had done so. The committee was thanked and discharged.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced and read first time.

HB 1, introduced by Sinrud, (by request of the Legislative Council), referred to Appropriations.

HB 2, introduced by Sinrud, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 3, introduced by Franklin, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 4, introduced by Musgrove, (by request of the office of Budget and Program Planning), referred to Appropriations.

HB 5, introduced by Callahan, (by request of the Office of Budget and Program Planning), referred to Appropriations.

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HB 6, introduced by Kasten, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 7, introduced by Kasten, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 8, introduced by Kasten, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 9, introduced by Kasten, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 10, introduced by Franklin, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 11, introduced by Kasten, (by request of the Department of Commerce, the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 12, introduced by Callahan, (by request of the Law and Justice Interim Committee), referred to Appropriations.

HB 13, introduced by Sesso, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 14, introduced by Wiseman, (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 15, introduced by Keane, (by request of the Economic Affairs Interim Committee), referred to Appropriations.

HB 16, introduced by Keane, referred to Natural Resources.

HB 17, introduced by Keane, referred to Judiciary.

HB 18, introduced by W. Jones, (by request of the Supreme Court), referred to Judiciary.

HB 19, introduced by McNutt, (by request of the Environmental Quality Council), referred to Natural Resources.

HB 20, introduced by McNutt, (by request of the Environmental Quality Council), referred to Natural Resources.

HB 21, introduced by Morgan, (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 22, introduced by McAlpin, (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 23, introduced by Hiner, (by request of the Revenue and Transportation Interim Committee), referred to State Administration.

HB 24, introduced by Klock, (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

HB 25, introduced by Olson, (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

HB 26, introduced by McGillvray, (by request of the Economic Affairs Interim Committee), referred to Transportation.

HB 27, introduced by Driscoll, (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

HB 28, introduced by Hilbert, (by request of the Department of Justice), referred to Judiciary.

HB 29, introduced by Parker, (by request of the Department of Justice), referred to Business and Labor.

HB 30, introduced by Franklin, (by request of the Department of Justice), referred to Judiciary.

HB 31, introduced by Kottel, (by request of the Department of Justice), referred to Transportation.

HB 32, introduced by Furey, (by request of the Department of Justice), referred to Judiciary.

HB 33, introduced by McNutt, (by request of the Department of Administration), referred to Federal Relations, Energy, and Telecommunications.

HB 34, introduced by Keane, (by request of the Economic Affairs Interim Committee), referred to Appropriations.

HB 35, introduced by Keane, (by request of the Economic Affairs Interim Committee), referred to Judiciary.

HB 36, introduced by Musgrove, (by request of the Department of Natural Resources and Conservation), referred to

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to Natural Resources.

HB 37, introduced by Reinhart, (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 38, introduced by McChesney, (by request of the Department of Fish, Wildlife and Parks), referred to Fish, Wildlife and Parks.

HB 39, introduced by McNutt, (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 40, introduced by Gallik, (by request of the Department of Commerce), referred to Taxation.

HB 41, introduced by Augare, (by request of the Department of Public Health and Human Services), referred to State Administration.

HB 42, introduced by McChesney, (by request of the Department of Administration), referred to Appropriations.

HB 43, introduced by McChesney, (by request of the Department of Administration), referred to State Administration.

HB 44, introduced by McChesney, (by request of the Department of Administration), referred to Appropriations.

HB 45, introduced by Villa, (by request of the Office of Public Instruction), referred to Education.

HB 46, introduced by Gallik, (by request of the Department of Military Affairs), referred to State Administration.

HB 47, introduced by Gallik, referred to Agriculture.

HB 48, introduced by Jacobson, (by request of the Department of Military Affairs), referred to State Administration.

HB 49, introduced by Hamilton, (by request of the Education and Local Government Interim Committee), referred to Local Government.

HB 50, introduced by Rice, (by request of the Department of Justice), referred to Judiciary.

HB 51, introduced by Pomnichowski, (by request of the Department of Fish, Wildlife and Parks), referred to Fish, Wildlife and Parks.

HB 52, introduced by Jacobson, (by request of the Secretary of State), referred to State Administration.

HB 53, introduced by Bixby, (by request of the Department of Justice), referred to Judiciary.

HB 54, introduced by Dickenson, (by request of the Department of Justice), referred to Judiciary.

HB 55, introduced by Furey, (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 56, introduced by Gallik, (by request of the Department of Commerce), referred to Federal Relations, Energy, and Telecommunications.

HB 57, introduced by Franklin, (by request of the Children, Families, Health and Human Services Interim Committee), referred to Appropriations.

HB 58, introduced by Keane, referred to Business and Labor.

HB 59, introduced by Keane, (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 60, introduced by Parker, (by request of the Law and Justice Interim Committee), referred to Appropriations.

HB 61, introduced by Erickson, (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 62, introduced by Jacobson, (by request of the Department of Administration), referred to State Administration.

HB 63, introduced by Musgrove, (by request of the Teachers' Retirement Board), referred to Appropriations.

HB 64, introduced by Clark, (by request of the Department of Public Health and Human Services), referred to Health and Human Services.

HB 65, introduced by Villa, (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 66, introduced by Hawk, (by request of the Legislative Finance Committee), referred to Appropriations.

HB 67, introduced by Heinert, (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

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- HB 69**, introduced by McNutt, (by request of the Department of Administration), referred to Business and Labor.
- HB 70**, introduced by Clark, (by request of the Secretary of State) referred to State Administration.
- HB 71**, introduced by MacLaren, (by request of the Department of Fish, Wildlife and Parks), referred to Fish, Wildlife and Parks.
- HB 72**, introduced by Van Dyk, (by request of the Department of Labor and Industry), referred to Business and Labor.
- HB 73**, introduced by Gallik, (by request of the Department of Environmental Quality), referred to Business and Labor.
- HB 74**, introduced by Campbell, (by request of the Department of Revenue), referred to Taxation.
- HB 75**, introduced by McChesney, (by request of the Office of Budget and Program Planning), referred to Taxation.
- HB 76**, introduced by McNutt, (by request of the Department of Labor and Industry), referred to Business and Labor.
- HB 77**, introduced by Clark, (by request of the Department of Public Health and Human Services), referred to Human Services.
- HB 78**, introduced by Parker, referred to Appropriations.
- HB 79**, introduced by McAlpin, (by request of the Department of Revenue), referred to Taxation.
- HB 80**, introduced by Hamilton, (by request of the Legislative Council), referred to State Administration.
- HB 81**, introduced by Hamilton, (by request of the Teachers' Retirement Board), referred to State Administration.
- HB 82**, introduced by Parker, referred to Judiciary.
- HB 83**, introduced by Hiner, (by request of the Department of Corrections), referred to Judiciary.
- HB 84**, introduced by McAlpin, (by request of the Department of Revenue), referred to Judiciary.
- HB 85**, introduced by Musgrove, referred to State Administration.
- HB 86**, introduced by Musgrove, (by request of the Legislative Audit Committee), referred to State Administration.
- HB 87**, introduced by Cordier, (by request of the Department of Natural Resources and Conservation), referred to National Resources.
- HB 88**, introduced by Dickenson, (by request of the Department of Environmental Quality), referred to Federal Relations, Energy, and Telecommunications.
- HB 89**, introduced by McChesney, (by request of the Department of Administration), referred to Appropriations.
- HB 90**, introduced by MacLaren, (by request of the Department of Justice), referred to Appropriations.
- HB 91**, introduced by Clark, (by request of the Department of Public Health and Human Services), referred to Judiciary.
- HB 92**, introduced by Franklin, (by request of the Department of Public Health and Human Services), referred to Human Services.
- HB 93**, introduced by Barrett, referred to National Resources.
- HB 94**, introduced by Van Dyk, (by request of the Department of Environmental Quality), referred to National Resources.
- HB 95**, introduced by Olson, referred to Appropriations.
- HB 96**, introduced by Kerns, referred to State Administration.
- HB 97**, introduced by Barrett, referred to State Administration.
- HB 98**, introduced by Franklin, (by request of the Department of Public Health and Human Services), referred to Judiciary.
- HB 99**, introduced by Olson, (by request of the Department of Labor and Industry).
- HB 100**, introduced by Bergren, (by request of the Department of Revenue).
- HB 101**, introduced by Ebinger.
- HB 102**, introduced by Jacobson, (by request of the Department of Natural Resources and Conservation).

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HB 103, introduced by Witte.

HB 104, introduced by Furey, (by request of the Department of Natural Resources and Conservation).

HB 105, introduced by Windy Boy, (by request of the State-Tribal Relations Committee).

HB 106, introduced by Cordier, (by request of the Department of Commerce).

HB 107, introduced by Gallik, (by request of the Department of Environmental Quality).

HB 108, introduced by Erickson, (by request of the Department of Revenue).

HB 109, introduced by Erickson, (by request of the Department of Revenue).

HB 110, introduced by Van Dyk, (by request of the Department of Commerce).

HB 111, introduced by Furey, (by request of the Department of Labor and Industry).

HB 112, introduced by Arntzen, (by request of the Education and Local Government Interim Committee).

HB 113, introduced by McChesney, (by request of the Department of Revenue).

HB 114, introduced by Olson, (by request of the Energy and Telecommunications Interim Committee).

HB 115, introduced by Cohenour, (by request of the Department of Fish, Wildlife and Parks).

HB 116, introduced by Ripley, (by request of the Legislative Finance Committee).

HB 117, introduced by Henry, (by request of the Department of Public Health and Human Services).

HB 118, introduced by Henry, (by request of the Department of Public Health and Human Services).

HB 119, introduced by Cohenour, (by request of the Department of Environmental Quality).

HB 120, introduced by Henry, (by request of the Department of Public Health and Human Services).

HB 121, introduced by McChesney, (by request of the Department of Transportation).

HB 122, introduced by Keane, (by request of the Department of Transportation).

HB 123, introduced by Lange.

HB 124, introduced by French, (by request of the Department of Administration).

HB 125, introduced by Kasten, (by request of the Public Employees' Retirement Board).

HB 126, introduced by Keane, (by request of the Department of Transportation).

HB 127, introduced by Keane, (by request of the Department of Transportation).

HB 128, introduced by Becker, (by request of the Department of Justice).

HB 129, introduced by Gallik, (by request of the Public Employees' Retirement Board).

HB 130, introduced by Campbell, (by request of the Governor).

HB 131, introduced by Sesso, (by request of the Office of Budget and Program Planning).

HB 132, introduced by Sesso, (by request of the State Library Commission).

HB 133, introduced by Sesso, (by request of the State Library Commission).

HB 134, introduced by Lange.

HB 135, introduced by Furey, (by request of the Office of Public Instruction).

HB 136, introduced by Milburn, (by request of the Department of Military Affairs).

HB 137, introduced by Villa, (by request of the Department of Commerce).

HB 138, introduced by McNutt, (by request of the Department of Natural Resources and Conservation).

HB 139, introduced by Branae, (by request of the Legislative Finance Committee).

HB 140, introduced by Ingraham, (by request of the Secretary of State).

HB 141, introduced by Jacobson, (by request of the Department of Administration).

HB 142, introduced by Jacobson, (by request of the Department of Military Affairs).

HB 143, introduced by Reinhart, (by request of the Department of Environmental Quality).

HB 144, introduced by Becker, (by request of the Department of Environmental Quality).

HB 145, introduced by Sonju, (by request of the Department of Labor and Industry).

HB 146, introduced by Jayne, (by request of the State-Tribal Relations Committee).

HB 147, introduced by Jopek, (by request of the Department of Revenue).

HB 148, introduced by Grinde, (by request of the Department of Public Health and Human Services).

HB 149, introduced by Jopek.

HB 150, introduced by Ross, (by request of the Office of Budget and Program Planning).

HB 151, introduced by Heinert.

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HB 152, introduced by Branae, (by request of the Office of Public Instruction).
HB 153, introduced by Jacobson.
HB 154, introduced by Clark, (by request of the Department of Public Health and Human Services).
HB 155, introduced by Noonan, (by request of the Department of Military Affairs).
HB 156, introduced by Franklin, (by request of the State Auditor).
HB 157, introduced by Caferro, (by request of the Department of Public Health and Human Services).
HB 158, introduced by L. Jones, (by request of the Secretary of State).
HB 159, introduced by Lambert, (by request of the Public Employees' Retirement Board).
HB 160, introduced by Stoker, (by request of the Legislative Finance Committee).
HB 161, introduced by Dickenson, (by request of the Department of Environmental Quality).
HB 162, introduced by Hiner, (by request of the Public Defender Commission).
HB 163, introduced by Koopman.
HB 164, introduced by Koopman.
HB 165, introduced by K. Peterson.
HB 166, introduced by Raser, (by request of the Department of Environmental Quality).
HB 167, introduced by Hands (by request of the Department of Environmental Quality).
HB 168, introduced by Cohenour, (by request of the State Compensation Insurance Fund).
HB 169, introduced by Lange.
HB 170, introduced by Thomas.
HB 171, introduced by Hamilton.
HB 172, introduced by Campbell, (by request of the Public Defender Commission).
HB 173, introduced by Cordier.
HB 174, introduced by Lambert.
HB 175, introduced by Bergren, (by request of the Department of Transportation).
HB 176, introduced by Wilmer, (by request of the Department of Environmental Quality).
HB 177, introduced by Boggio, (by request of the Secretary of State).
HB 178, introduced by Wilmer.
HB 179, introduced by French, (by request of the Governor).
HB 180, introduced by Hollenbaugh, (by request of the Department of Justice).

The following House joint resolutions were introduced, read first time and referred to committee.

HJR 1, introduced by Keane, (by request of the Economic Affairs Interim Committee), referred to Human Services.
HJR 2, introduced by Lake, ((by request of the Revenue and Transportation Interim Committee), referred to Taxation.
HJR 3, introduced by Musgrove, referred to Transportation.
HJR 4, introduced by Cohenour.

The following House resolutions were introduced, read first time and referred to committee..

HR 1, introduced by Lange, ((by request of the House Rules Standing Committee), referred to Rules.
HR 2, introduced by Ingraham.

ANNOUNCEMENTS

Majority Leader Lange announced that Professor Alan Rosenthal will address the Legislature immediately following the adjournment.

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Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, January 4, 2007. Motion carried.

House adjourned at 1:30 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SECOND LEGISLATIVE DAY**

Helena, Montana
January 4, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Tom McGillvray. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present except for Representative Joey Jayne and Representative Robin Driscoll who were excused.

Mr. Speaker introduced the pages of the week:

Caitlyn Field, Townsend
Dominic Avioli, Houston, TX
Tiffani Kennedy, Townsend
Pamela Garman, Townsend

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced and read first time:

HB 181, introduced by Jopek.
HB 182, introduced by Jopek.
HB 183, introduced by Jopek.
HB 184, introduced by Jopek.
HB 185, introduced by Jopek.
HB 186, introduced by Jopek.
HB 187, introduced by Jopek.
HB 188, introduced by McNutt.
HB 189, introduced by Cordier.
HB 190, introduced by Thomas.
HB 191, introduced by Erickson.
HB 192, introduced by Stahl.
HB 193, introduced by Nooney.
HB 194, introduced by Lange.
HB 195, introduced by Lange.
HB 196, introduced by Lange.
HB 197, introduced by Campbell, Stahl, McAlpin, Jopek, Keane, Gallik, Van Dyk, Wiseman.
HB 198, introduced by W. Jones, Butcher, Windy Boy, Heinert, Jacobson, Olson, Lambert, Hamilton, Caferro, Hendrick, Klock, Hiner, Henry, Small-Eastman, Becker, Keane, Ward, Augare, Driscoll.
HB 199, introduced by W. Jones, Jacobson, Becker, Heinert, Henry, Olson, Klock, Hamilton, Small-Eastman, Ward, Keane.

The following House joint resolution was introduced and read first time:

HJR 5, introduced by Lange.

HOUSE JOURNAL
SECOND LEGISLATIVE DAY - JANUARY 4, 2007

SPECIAL ORDERS OF THE DAY

Speaker Sales introduced Sandra Alcosser, Montana's first Poet Laureate, who thanked the Legislature and read a poem entitled "Fox Fire."

Majority Leader Lange announced that Republicans would caucus. Democrat Floor Leader Bergren announced that Democrats would caucus. The House reconvened at 1:40 pm.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House adjourn until 1:00 p.m., Friday, January 5, 2007. Motion carried.

House adjourned at 1:45 PM.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRD LEGISLATIVE DAY**

Helena, Montana
January 5, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Windy Boy, Representative Sinrud and Representative Himmelberger who were excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced and read first time.

HB 200, introduced by Jopek.

HB 201, introduced by Jopek.

HB 202, introduced by Jopek.

HB 203, introduced by Jopek.

HB 204, introduced by Kasten, McGillvray.

HB 205, introduced by Everett, Beck, Jackson, L. Jones, O'Neil, Stahl, Sonju .

HB 206, introduced by Ingraham, Ward, Lake, MacLaren.

HB 207, introduced by Ingraham, MacLaren, Hilbert, Lake, Ross, Cordier, Hendrick, Ward.

HB 208, introduced by K. Peterson.

HB 209, introduced by K. Peterson.

HB 210, introduced by K. Peterson.

HB 211, introduced by Windy Boy, Campbell, Jopek, Fury, Raser, Hendrick, Becker, Bergren, Branae, Pease, Smith, Klock, Noonan.

HB 212, introduced by Windy Boy, Jopek, Campbell, Pease, Gallus, Becker, Smith, Noonan, Klock, Ebinger, Bergren, Parker.

HB 213, introduced by Windy Boy, Campbell, Jopek, Bergren, Harrington, Noonan, Furey, Parker.

HB 214, introduced by Windy Boy, Jopek, Campbell, Smith, Parker, Noonan, Harrington, Bergren.

HB 215, introduced by Kerns, McGillvray.

HB 216, introduced by Wilmer, Erickson, Phillips, Pomnichowski, Hands, Van Dyk, Reinhart, Stahl, Olson.

HB 217, introduced by Lange, McGillvray, Butcher.

HB 218, introduced by Lange.

HB 219, introduced by Ebinger, Malcolm, Hollenbaugh, Pomnichowski, Hawks.

The following House bills were referred to committee:

HB 99, introduced by Olson, referred to Business and Labor.

HB 100, introduced by Bergren, referred to Taxation.

HB 103, introduced by Witte, referred to State Administration.

HB 104, introduced by Furey, referred to Natural Resources.

HB 105, introduced by Windy Boy, referred to State Administration.

HB 106, introduced by Cordier, referred to Business and Labor.

HB 107, introduced by Gallik, referred to Natural Resources.

HB 108, introduced by Erickson, referred to Taxation.

HB 109, introduced by Erickson, referred to Taxation.

HB 110, introduced by Van Dyk, referred to Appropriations.

HB 111, introduced by Furey, referred to Business and Labor.

HB 112, introduced by Arntzen, referred to Local Government.

HB 113, introduced by McChesney, referred to Business and Labor.

HB 114, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
HB 115, introduced by Cohenour, referred to Fish, Wildlife and Parks.
HB 118, introduced by Henry, referred to Human Services.
HB 119, introduced by Cohenour, referred to Natural Resources.
HB 120, introduced by Henry, referred to Human Services.
HB 121, introduced by McChesney, referred to Education.
HB 122, introduced by Keane, referred to Transportation.
HB 123, introduced by Lange, referred to Federal Relations, Energy, and Telecommunications.
HB 124, introduced by French, referred to State Administration.
HB 125, introduced by Kasten, referred to Appropriations.
HB 126, introduced by Keane, referred to Transportation.
HB 127, introduced by Keane, referred to Transportation.
HB 129, introduced by Gallik, referred to State Administration.
HB 130, introduced by Campbell, referred to Natural Resources.
HB 131, introduced by Sesso, referred to Appropriations.
HB 132, introduced by Sesso, referred to State Administration.
HB 134, introduced by Lange, referred to Federal Relations, Energy, and Telecommunications.
HB 135, introduced by Furey, referred to Education.
HB 136, introduced by Milburn, referred to Appropriations.
HB 137, introduced by Villa, referred to Business and Labor.
HB 138, introduced by McNutt, referred to Natural Resources.
HB 139, introduced by Branae, referred to Appropriations.
HB 140, introduced by Ingraham, referred to State Administration.
HB 141, introduced by Jacobson, referred to Business and Labor.
HB 142, introduced by Jacobson, referred to State Administration.
HB 144, introduced by Becker, referred to Natural Resources.

UNFINISHED BUSINESS

HB 16, introduced by Keane, the following sponsors were added:

Rep. Ankney, Butcher, Callahan, Campbell, Cohenour, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hendrick, Henry, Himmelberger, Hiner, L. Jones, Jopek, Hollenbaugh, Klock, Kottel, Lake, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Olson, Rice, Stoker, Thomas, Villa, Ward and Windy Boy.

ANNOUNCEMENTS

Representative Hollenbaugh read a tribute to the late William A. Johnstone who dedicated his life in service to public education in Montana. Representative Hollenbaugh stated: "I am one Grizzly that is proud to recognize the service of this distinguished Montanan, dedicated educator and proud Bobcat."

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1 p.m., Monday, January 8, 2007. Motion carried.

House adjourned at 1:20 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FOURTH LEGISLATIVE DAY**

Helena, Montana
January 8, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ernie Dutton. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Raser who was excused. Quorum present.

The Speaker introduced the pages of the week:

Pages: Caitlyn Field, Townsend
Natasha Smith, Ronan
Mitch Staley, Dillon
Brooke Thanepohn, Belgrade
Carmen Neuens, Havre
Melissa Morris, Ronan

Majority Leader Lange announced that Republicans would caucus. Democrat Caucus Leader Villa announced that Democrats would caucus. The House reconvened at 1:30 p.m.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Himmelberger, Chairman): 1/8/2007
HB 46, do pass. Report adopted.
HB 48, do pass. Report adopted.

BILLS (L. Jones, Chairman): 1/8/2007
Correctly printed: **HB 46**.
Correctly printed: **HB 48**.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced and read first time:

HB 220, introduced by Witte.
HB 221, introduced by Witte.
HB 222, introduced by L. Jones, Black.
HB 223, introduced by Musgrove, Bergren, Villa, Kitzenberg, McNutt, Hansen, Gebhardt, Murphy, Sesso, French, Lambert, Stahl.
HB 224, introduced by Cohenour.
HB 225, introduced by Koopman, McGillvray, Lange.
HB 226, introduced by Cohenour, Jent, Milburn, J. Tropila.
HB 227, introduced by Erickson, Cobb.
HB 228, introduced by Ward.
HB 229, introduced by Mendenhall, Brown, Himmelberger, McGee, Sales, Wiseman.
HB 230, introduced by Koopman, McGillvray, Lange.
HB 231, introduced by Ripley, Laible.
HB 232, introduced by Lake.
HB 233, introduced by Lake.

HOUSE JOURNAL
FOURTH LEGISLATIVE DAY - JANUARY 8, 2007

HB 234, introduced by Lake.

HB 235, introduced by Dutton.

HB 236, introduced by Jacobson, Thomas, Wilmer, Cohenour, Groesbeck, Raser, Hiner, Dickenson, Bixby, Branae, Small-Eastman, W. Jones, Hollenbaugh, Driscoll, Nooney, McChesney, Phillips, Erickson, Grinde, Wilson, French, Ward, Sands, Callahan, Jopek.

HB 237, introduced by Phillips.

HB 238, introduced by Phillips.

HB 239, introduced by Phillips.

HB 240, introduced by Nooney, Gallik, L. Jones, Blasdel, Hendrick, Kottel, Glaser, Ross, O'Hara, Beck, Ward.

HB 241, introduced by Stahl.

HB 242, introduced by Ripley, Himmelberger, Everett, K. Peterson.

The following House joint resolution was introduced and read first time:

HJR 6, introduced by Phillips.

SPECIAL ORDERS OF THE DAY

The following sponsors were added to **HB93**:

Reps. Ankney, L. Jones, Kerns, Koopman, Lambert, Lange, McNutt, Mendenhall, Morgan, Olson, Rice, Ripley, Ross, Sales, Stoker, Taylor and Ward.

The following sponsors were added to **HB237**:

Reps. Augare, Cordier, Ebinger, Erickson, Hands, Hollenbaugh, Pomnichowski, Van Dyk, Wilmer and Wiseman.

The following sponsors were added to **HB238**:

Reps. Ebinger, Erickson, Hands, Olson, Van Dyk, Wilmer and Wiseman.

The following sponsors were added to **HB239**:

Reps. Augare, Cordier, Erickson, Olson, Pomnichowski, Van Dyk, Vincent, Wilmer and Wiseman.

The following sponsors were added to **HJR6**:

Reps. Augare, Cordier, Ebinger, Erickson, Hands, Hollenbaugh, O'Hara, Pomnichowski, Van Dyk, Wilmer and Wiseman

ANNOUNCEMENTS

Representative William Jones asked that the House pause for a moment to remember former Representative Matt Himsl of Kalispell.

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, January 9, 2007. Motion carried.

House adjourned at 1:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 9, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Branae. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Raser and Representative Windy Boy who were excused. Quorum present.

Representative Alan Olson introduced members of a delegation from the Pacific Northwest Economic Region:

Hon. Jim Kenyon, Yukon Minister of Economic Development.

Hon. John vanDongen, BC Minister of State for Intergovernmental Relations.

Bill Heppner, Staff to Minister John vanDongen.

David Kettles, Staff for Inter-governmental Relations for the Province of Alberta.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman): 1/9/2007
HB 18, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman): 1/9/2007
HB 106, do pass. Report adopted.

BILLS (L. Jones, Chairman): 1/9/2007
Correctly printed: **HB 18**, **HB 106**.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 243, introduced by Wiseman, referred to Taxation.

HB 244, introduced by Wiseman, referred to Federal Relations, Energy, and Telecommunications.

HB 245, introduced by Wiseman, referred to Appropriations.

HB 246, introduced by Kottel

HB 247, introduced by Windy Boy, Campbell and Keane, referred to Judiciary.

HB 248, introduced by Kottel, referred to Business and Labor.

HB 249, introduced by Ward, referred to Transportation.

HB 250, introduced by Stoker, referred to Judiciary.

HB 251, introduced by Stoker, referred to Judiciary.

HB 252, introduced by Peterson.

HB 253, introduced by Ross, Klock, Villa and Branae.

HB 254, introduced by Stoker, referred to State Administration.

HB 255, introduced by Clark, referred to Human Services.

HB 256, introduced by Lake.

HB 257, introduced by Lake, referred to Taxation.

HB 258, introduced by Reinhart, Furey, Villa and McAlpin, referred to Taxation.

HB 259, introduced by Reinhart, Furey, McAlpin and Ward, referred to Natural Resources.

HB 260, introduced by Reinhart, Campbell, Kitzenberg, and Lambert, referred to Education.

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HB 261, introduced by Jopek, referred to Natural Resources.
HB 262, introduced by Jopek, referred to Natural Resources.
HB 263, introduced by Heinert, referred to Judiciary.
HB 264, introduced by Heinert, referred to Fish, Wildlife and Parks.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 7, introduced by Ward, referred to State Administration.

The following House bills were referred to committee:

HB 101, referred to Business and Labor.
HB 102, referred to Local Government.
HB 116, referred to Appropriations.
HB 117, referred to Human Services.
HB 128, referred to Education.
HB 133, referred to State Administration.
HB 143, referred to Transportation.
HB 145, referred to Business and Labor.
HB 146, referred to Business and Labor.
HB 147, referred to Taxation.
HB 148, referred to Human Services.
HB 149, referred to Taxation.
HB 150, referred to Appropriations.
HB 151, referred to Natural Resources.
HB 152, referred to Education.
HB 153, referred to State Administration.
HB 154, referred to Human Services.
HB 155, referred to Appropriations.
HB 156, referred to Business and Labor.
HB 157, referred to Human Services.
HB 158, referred to Business and Labor.
HB 159, referred to State Administration.
HB 160, referred to Appropriations.
HB 161, referred to Federal Relations, Energy, and Telecommunications.
HB 162, referred to Judiciary.
HB 163, referred to State Administration.
HB 164, referred to Education.
HB 165, referred to Judiciary.
HB 166, referred to Taxation.
HB 167, referred to Natural Resources.
HB 168, referred to Business and Labor.
HB 169, referred to State Administration.
HB 170, referred to Federal Relations, Energy, and Telecommunications.
HB 171, referred to Fish, Wildlife and Parks.
HB 172, referred to Judiciary.
HB 173, referred to Business and Labor.
HB 174, referred to Judiciary.
HB 175, referred to Transportation.

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FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

HB 176, referred to Transportation.
HB 177, referred to State Administration.
HB 178, referred to Education.
HB 179, referred to Appropriations.
HB 180, referred to Judiciary.
HB 181, referred to Education.
HB 182, referred to Education.
HB 183, referred to Appropriations.
HB 184, referred to Natural Resources.
HB 185, referred to Judiciary.
HB 186, referred to Appropriations.
HB 187, referred to Judiciary.
HB 188, referred to Transportation.
HB 189, referred to Appropriations.
HB 190, referred to Business and Labor.
HB 191, referred to Appropriations.
HB 192, referred to Judiciary.
HB 193, referred to Fish, Wildlife and Parks.
HB 194, referred to Education.
HB 195, referred to Education.
HB 196, referred to Taxation.
HB 197, referred to Transportation.
HB 198, referred to Appropriations.
HB 199, referred to Fish, Wildlife and Parks.
HB 200, referred to Natural Resources.
HB 201, referred to Natural Resources.
HB 202, referred to State Administration.
HB 203, referred to Natural Resources.
HB 204, referred to Appropriations.
HB 205, referred to Natural Resources.
HB 206, referred to State Administration.
HB 207, referred to State Administration.
HB 208, referred to Judiciary.
HB 209, referred to State Administration.
HB 210, referred to Judiciary.
HB 211, referred to Education.
HB 212, referred to Business and Labor.
HB 213, referred to Business and Labor.
HB 214, referred to Appropriations.
HB 215, referred to Judiciary.
HB 216, referred to Taxation.
HB 217, referred to Judiciary.
HB 218, referred to Federal Relations, Energy, and Telecommunications.
HB 219, referred to Transportation.
HB 220, referred to Taxation.
HB 221, referred to State Administration.
HB 222, referred to Appropriations.
HB 223, referred to Appropriations.
HB 224, referred to Education.

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

HB 225, referred to State Administration.
HB 226, referred to Fish, Wildlife and Parks.
HB 227, referred to Appropriations.
HB 228, referred to Local Government.
HB 229, referred to Judiciary.
HB 230, referred to Education.
HB 231, referred to Appropriations.
HB 232, referred to Fish, Wildlife and Parks.
HB 233, referred to Business and Labor.
HB 234, referred to Judiciary.
HB 235, referred to Local Government.
HB 236, referred to Taxation.
HB 237, referred to Federal Relations, Energy, and Telecommunications.
HB 238, referred to State Administration.
HB 239, referred to Judiciary.
HB 240, referred to Taxation.
HB 241, referred to State Administration.
HB 242, referred to State Administration.

The following House joint resolutions were referred to committees:

HJR 5, referred to Natural Resources.
HJR 6, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 46 - Representative Gallik moved **HB 46** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Mendenhall.

Total 1

Voted Absentee: Raser, Windy Boy, Ayes.

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 48 - Representative Jacobson moved **HB 48** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Raser, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Raser, Windy Boy.
Total 2

Absent or not voting: Hands, Himmelberger.

HOUSE JOURNAL
FIFTH LEGISLATIVE DAY - JANUARY 9, 2007

Total 2

SPECIAL ORDERS OF THE DAY

HB27, introduced by Driscoll, the following sponsors were added:
Reps. Groesbeck, Klock and Olson.

HB82, introduced by Parker, the following sponsors were added:
Reps. Augare, Bergren, Campbell, Cohenour, Cordier, Ebinger, French, Gallik, Hands, Henry, Hollenbaugh, Jacobson, Koopman, Kottel, McAlpin, McGillvray, Noonan, O'Hara, Rice, Stoker, Villa, Ward, Wilson, Windy Boy.

HB151, introduced by Heinert, the following sponsors were added:
Reps. W. Jones, Lambert and Vincent, Curtiss and Jackson.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Wednesday, January 10, 2007. Motion carried.

House adjourned at 1:40 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 10, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Lake. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Jayne, Representative Butcher, Representative Raser and Representative Franklin. Quorum present.

Democrat Floor Leader Bergren announced that Democrats would caucus. Majority Leader Lange announced that Republicans would caucus. The House reconvened at 12:50 p.m.

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 1/9/2007
HB 51, do pass. Report adopted.

RULES (Lange, Chairman): 1/9/2007
HR 1, introduced resolution, be amended as follows:

1. Page 26, line 15.

Following: "House."

Insert: "A member may be present for a vote by electronic means."

And, as amended, be adopted. Report adopted.

BILLS (Jones, Chairman): 1/10/2007
Correctly printed: **HB 51**.
Correctly engrossed: **HR 1**.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 265, introduced by Ebinger, Gallik, Erickson, Pomnichowski, referred to Local Government.

HB 266, introduced by Jore, referred to State Administration.

HB 267, introduced by Erickson, referred to Education.

HB 268, introduced by Kottel, Augare, O'Hara, French, Himmelberger, Sonju, referred to Human Services.

HB 269, introduced by Rice, Tash, referred to Agriculture.

HB 270, introduced by Lange, McGillvray, Lake, MacLaren, referred to Taxation.

HB 271, introduced by McNutt, referred to Natural Resources.

HB 272, introduced by L. Jones, Hendrick, Ward, Arntzen, Sonju, referred to Judiciary.

HB 273, introduced by Mendenhall, referred to Transportation.

HB 274, introduced by Mendenhall, referred to Transportation.

HB 275, introduced by Koopman, McGillvray, Lange, referred to Transportation.

HB 276, introduced by McNutt, referred to Natural Resources.

HB 277, introduced by Reinhart, Hilbert, referred to Judiciary.

HB 278, introduced by Stoker, Schmidt, referred to Human Services.

HB 279, introduced by Driscoll, referred to State Administration.

HB 280, introduced by Hawk, referred to Local Government.

HB 281, introduced by McGillvray, Himmelberger, Lange, Barrett, Koopman, referred to State Administration.

HB 282, introduced by Erickson, referred to Natural Resources.

HB 283, introduced by Campbell, Van Dyk, Small-Eastman, Groesbeck, Noonan, Bixby, Cordier, Jayne, Augare, Becker, Sesso, Ebinger, Elliott, referred to Education.

HB 284, introduced by Augare, J. Tropila, Smith, Cordier, Jayne, Small-Eastman, Juneau, Campbell, Bixby, referred to Fish, Wildlife and Parks.

HB 285, introduced by Augare, Cordier, Jayne, Campbell, Smith, Small-Eastman, Hamilton, Bixby, referred to Taxation.

HB 286, introduced by Augare, Henry, Jayne, J. Tropila, Hamilton, Small-Eastman, Kottel, Campbell, Bixby, referred to Business and Labor.

HB 287, introduced by Wiseman, Rice, Williams, Parker, Villa, Cooney, Sales, Lange, Gallik, referred to Judiciary.

HB 288, introduced by Wiseman, J. Tropila, referred to State Administration.

HB 289, introduced by Augare, Jayne, French, Caferro, Stahl, Dickenson, Bixby, Juneau, Bergren, Campbell, Nooney, Hamilton, Parker, Kottel, referred to Taxation.

HB 290, introduced by Bergren, referred to Natural Resources.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 8, introduced by Hendrick, Sales, Klock, Stoker, Lake, Ingraham, MacLaren, Himmelberger, Mendenhall, Olson, Koopman, McGillvray, Boggio, Malcolm, L. Jones, Jore, Ward, Sonju, Pomnichowski, referred to Natural Resources.

HJR 9, introduced by K. Peterson, Lange, referred to Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 46 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Franklin, Jayne, Raser.

Total 3

Absent or not voting: Furey.

Total 1

HB 48 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Franklin, Jayne, Raser.
Total 3

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

HB 56, introduced by Gallik, the following sponsor was added:
Representative Small-Eastman.

HB 275, introduced by Koopman, the following sponsors were added:
Reps Augare, Caferro, Cordier, Dutton, Ebinger, Everett, French, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Keane, Kerns, Kottel, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Nooney, O'Hara, Olson, Parker, Peterson, Rice, Ross, Sonju, Stahl, Stoker, Taylor, Wilson and Windy Boy.

The following sponsor was added to **HJR 6**:
Representative Nooney.

The following primary sponsor was changed to **HB 68**:
Representative Kottel.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, January 11, 2007. Motion carried.

House adjourned at 1:25 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTH LEGISLATIVE DAY**

Helena, Montana
January 11, 2007

House Chambers
State Capitol

House convened at 1:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Everett. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative O'Hara and Representative Raser who were excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman): 1/11/2007

HB 1, do pass. Report adopted.
HB 42, do pass. Report adopted.
HB 23, do pass. Report adopted
HB 41, do pass. Report adopted
HB 43, do pass. Report adopted.
HB 62, do pass. Report adopted.
HB 67, do pass. Report adopted.
HB 70, do pass. Report adopted.

TAXATION (Lake, Chairman): 1/11/2007

HB 21, introduced bill, do pass and be placed on the consent calendar. Report adopted.
HB 22, introduced bill, do pass and be placed on the consent calendar. Report adopted.

BILLS (Jones, Chairman): 1/11/2007

Correctly printed: **HB 1, HB 23, HB 41, HB 42, HB 43, HB 62, HB 67, HB 70.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/10/2007

SB 21, introduced by Larson
SB 88, introduced by Hawks

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 291, introduced by Ross, Story, Rice, Malcolm, J. Peterson, Bales, referred to Natural Resources.
HB 292, introduced by Stahl, referred to Judiciary.
HB 293, introduced by Himmelberger, referred to Education.
HB 294, introduced by Dickenson, Jayne, Cordier, W. Jones, Sesso, Jacobson, Small-Eastman, Himmelberger, Villa, Groesbeck, Jopek and Ward
HB 295, introduced by Erickson, Jopek, Hamilton, McAlpin, Grinde, Pomnichowski, Reinhart, Noonan, Kaufmann, Lind, referred to Local Government.
HB 296, introduced by Hamilton, Hands, Erickson, Cohenour, McAlpin, Branae, referred to Appropriations.
HB 297, introduced by Hamilton, Hands, McAlpin, Dickenson, Erickson, Branae, Grinde, Cohenour, referred to Education.
HB 298, introduced by Hiner, Villa, Groesbeck, Callahan, Sesso, Hollenbaugh, Ward, referred to Appropriations.
HB 299, introduced by Milburn, O'Hara, Butcher, Klock, L. Jones, Arntzen, McNutt, McGillvray, Thomas, referred

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to Business and Labor.

HB 300, introduced by Milburn, Arntzen, Butcher, referred to Business and Labor.

HB 301, introduced by Reinhart, Caferro, Hands, referred to Federal Relations, Energy, and Telecommunications.

HB 302, introduced by Erickson, Jopek, Hamilton, Nooney, McAlpin, Bixby, Grinde, Cohenour, Noonan, Branae, Weinberg, Moss, Hands, referred to Appropriations.

HB 303, introduced by Furey, referred to Transportation.

HB 304, introduced by Furey, referred to Natural Resources.

HB 305, introduced by Thomas, L Jones, Glaser, Stahl, Noonan, Kottel, referred to Judiciary.

HB 306, introduced by Jore, referred to Judiciary.

HB 307, introduced by Van Dyk, Villa, Becker, Reinhart, Driscoll, referred to Taxation.

HB 308, introduced by Van Dyk, Phillips, Branae, Grinde, Parker, Reinhart, Driscoll, referred to State Administration.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 10, introduced by Hamilton, Hands, Branae, Furey, Erickson, Grinde, Cohenour, Noonan, referred to Agriculture.

HJR 11, introduced by Gallik, referred to Business and Labor.

HJR 12, introduced by Furey, Williams, Sands, Hamilton, referred to Fish, Wildlife and Parks.

The following House resolution was introduced, read first time, and referred to committee:

HR 3, introduced by Lange, referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 18 - Representative W. Jones moved **HB 18** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: O'Hara, Raser, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 106 - Representative Cordier moved **HB 106** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: O'Hara, Raser, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 51 - Representative Pomnichowski moved **HB 51** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Keane, Ripley, Sonju, Ward.
Total 4

Voted Absentee: O'Hara, Raser, Ayes.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: O'Hara, Raser.

Total 2

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

HB 68, introduced by Kaufmann, the following sponsor was added:
Representative Kottel.

HB 194, introduced by Lange, the following sponsors were added:
Reps. MacLaren, McGillvray, Olson, Stahl and Brown.

HB 195, introduced by Lange, the following sponsor was added:
Representative Arntzen.

HJR 5, introduced by Lange, the following sponsors were added:
Reps. MacLaren, McGillvray and Stahl.

HJR 6, introduced by Phillips, the following sponsor was added:
Representative Lind.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, January 12, 2007. Motion carried. House adjourned at 1:19 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTH LEGISLATIVE DAY**

Helena, Montana
January 12, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Madam Speaker Pro Tem Debby Barrett in the Chair. Invocation by Representative Koopman. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Speaker Sales, Representative Raser and Representative O'Hara who were excused. Quorum present.

Majority Leader Lange announced that Republicans would caucus. Democratic Caucus Leader Villa announced that Democrats would caucus. The House reconvened at 1:25 p.m.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Himmelberger, Chairman):
HB 52, introduced bill, be amended as follows:

1/11/2007

1. Title, page 1, line 7.

Following: "FEES"

Insert: "IN CERTAIN CONTESTED ELECTIONS"

2. Title, page 1, line 7.

Following: ""AMENDING"

Strike: "SECTION"

Insert: "SECTIONS 13-36-204 AND"

3. Title, page 1, line 7 through line 8.

Strike: "REPEALING" on line 7 through "MCA;" on line 8

4. Page 1.

Following: line 10

Insert: "**Section 1.** Section 13-36-204, MCA, is amended to read:

"13-36-204. Bond required -- exception. Before (1) Except as provided in subsection (2), in any proceeding on the petition, the petitioner shall give bond to the state in ~~such~~ the sum ~~as~~ that the court may order, not exceeding \$2,000, with not less than two sureties, who shall justify in the manner required of sureties on bail bonds, conditioned to pay all costs, disbursements, and attorney's fees that may be awarded against ~~him~~ the petitioner if ~~he shall~~ the petitioner does not prevail.

(2) A bond is not required in a proceeding to contest an election pursuant to 13-36-101(3)."

Renumber: subsequent sections

5. Page 1, line 13.

Strike: "In"

Insert: "(1) Except as provided in subsection (2), in"

6. Page 1, line 13 through line 14.

Strike: "each" on line 13 through "fees." on line 14

Following: "~~bond.~~"

Insert: "each party may recover the party's costs, disbursements, and reasonable attorney fees, which must be awarded in the court's discretion. If judgement is against the petitioner, the award must also be rendered

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EIGHTH LEGISLATIVE DAY - JANUARY 12, 2007

against the sureties on the bond required in 13-36-204.

(2) In any proceeding to contest an election pursuant to 13-36-101(3), each party is responsible for the party's costs, disbursements, and reasonable attorney fees."

7. Page 1, line 18.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman): 1/11/2007

HB 80, do pass. Report adopted.

HB 96, do pass. Report adopted.

HB 140, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman): 1/12/2007

HB 99, do pass. Report adopted.

HB 111, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman): 1/11/2007

HJR 3, be adopted. Report adopted.

BILLS (L. Jones, Chairman): 1/12/2007

Correctly printed: **HB 80, HB 96, HB 99, HB 111, HB 140.**

Correctly engrossed: **HB 52.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/11/2007

SB 39, introduced by Brown

SB 40, introduced by Cocchiarella

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 309, introduced by Bergren, Cordier, Thomas, Bixby, Ebinger, Reinhart, Grinde, Jopek, Pomnichowski, Driscoll, Branae, Wilmer, Hands, Dickenson, referred to Transportation.

HB 310, introduced by Dutton, Rice, Lake, Ross, K. Peterson, Keane, Driscoll, Branae, Stoker, referred to Judiciary.

HB 311, introduced by Erickson, referred to Judiciary.

HB 312, introduced by Lange, McGillvray, Sales, referred to Judiciary.

HB 313, introduced by W. Jones, Hendrick, Himmelberger, Ross, Olson, Blasdel, L. Jones, Wells, Noonan, Lange, Ankney, Vincent, MacLaren, Malcolm, Small-Eastman, Ingraham, Augare, Nooney, Ward, Barrett, referred to Taxation.

HB 314, introduced by L. Jones, referred to Local Government.

HB 315, introduced by Koopman, referred to Taxation.

HB 316, introduced by Sinrud, referred to State Administration.

HB 317, introduced by Sinrud, referred to State Administration.

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HB 318, introduced by Himmelberger, referred to Transportation.

HB 319, introduced by Glaser, referred to Business and Labor.

HB 320, introduced by Ross, referred to Natural Resources.

HB 321, introduced by McGillvray, Lange, MacLaren, Kerns, Koopman, Rice, Shockley, Everett, Stoker, K. Peterson, Ward, referred to Judiciary.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 13, introduced by Ankney, Lange, Himmelberger, Keane, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Representative Sinrud moved **HB 1** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Sinrud.
Total 1

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 23 - Representative Hiner moved **HB 23** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 41 - Representative Augare moved **HB 41** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 38

Voted Absentee: O'Hara, Raser, Ayes; Mr. Speaker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 42 - Representative McChesney moved **HB 42** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 100

Noes: None.

Total 0

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 43 - Representative McChesney moved **HB 43** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 62 - Representative Jacobson moved **HB 62** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Everett, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Wells.

Total 11

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Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

HB 67 - Representative Heinert moved **HB 67** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Everett, Peterson.

Total 2

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 - Representative Clark moved **HB 70** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

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Total 0

Absent or not voting: Jore.

Total 1

HR 1 - Representative Lange moved **HR 1** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 95

Noes: Butcher, Gallik, Mendenhall, Wiseman.

Total 4

Voted Absentee: O'Hara, Raser, Mr. Speaker, Ayes.

Excused: None.

Total 0

Absent or not voting: Reinhart.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed.

Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte.

Total 93

Noes: Butcher, Sonju, Wells, Wiseman.

Total 4

Excused: O'Hara, Raser, Mr. Speaker.

Total 3

Absent or not voting: None.

Total 0

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, January 15, 2007. Motion carried.

House adjourned at 2:15 p.m.

MARILYN MILLER
Chief Clerk of the House

DEBBY BARRETT
Speaker Pro Tem of the House

**HOUSE JOURNAL
60TH LEGISLATURE
NINTH LEGISLATIVE DAY**

Helena, Montana
January 15, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Cordier.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker introduced the pages of the week:

Erica Martin, Billings
Nicolle Fugere, Billings
Margaret Swain, Billings
Tiffany Rennick-See, Hinsdale
Kirsten Osen, Hinsdale
Kendyl Clark, Geyser

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman) 1/12/2007
Correctly enrolled: **HR 1**.
Examined by the sponsor and found to be correct: **HR 1**.

JUDICIARY (Rice, Chairman): 1/12/2007
HB 32, do pass. Report adopted.

JUDICIARY (Rice, Chairman): 1/12/2007
HB 35, introduced bill, be amended as follows:

1. Page 1.

Following: line 28

Insert: "(a) notwithstanding subsection (1), immediately begin to investigate the report of identity theft, based upon whatever proof of identity the victim is able to provide, if any, at the time of making the report and proceed with the investigation as far as the agency is able;"

Renumber: subsequent subsections

2. Page 2.

Following: line 2

Insert: "(3) Within 72 hours after making the report of identity theft, the victim shall provide the forms of identification requested pursuant to subsection (1). If the victim is unable to provide that identification within that time, the victim shall explain to the law enforcement

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agency receiving the report why the victim is unable to provide those forms of identification."

Renumber: subsequent subsections

3. Page 2, line 8.

Following: "cooperate"

Insert: "fully"

Following: "agencies"

Insert: "of the same or another jurisdiction"

4. Page 3, line 19.

Strike: "subject" on page 3, line 19 through "45-7-203" on line 20

Insert: "guilty of a felony and upon conviction shall be punished as provided by law"

Following: "and" on line 20

Insert: "by"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

1/12/2007

HB 31, introduced bill, be amended as follows:

1. Title, lines 7 and 8.

Strike: "INCREASING" on line 7 through "FEES;" on line 8

2. Title, line 8.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 61-4-517"

3. Page 1, line 17.

Following: "purchaser"

Insert: "or lessee"

Following: "resale"

Insert: "or lease"

Following: "of a"

Insert: "passenger"

Following: "vehicle"

Insert: "used for personal, family, or household purposes"

4. Page 1, lines 18 through 21.

Strike: "by" on line 18 through "provisions" on line 21

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Following: "." on line 21

Insert: "The term includes any person to whom the passenger motor vehicle is transferred for the same purposes during the duration of an express warranty applicable to the passenger motor vehicle and any other person entitled by the terms of the warranty to enforce the obligations of the warranty."

5. Page 2, line 10 through line 26.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

1/12/2007

HB 219, introduced bill, be amended as follows:

1. Title, lines 6 through 8.

Strike: the first "AS" on line 6 through "BUSINESS; AND" on line 8

Insert: "UNDER CERTAIN CIRCUMSTANCES;"

Following: "MCA" on line 8

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 10, lines 15 through 17.

Strike: "and" on line 15 through "agreements" on line 17

Insert: "that is not contiguous to the dealer's established place of business where a motor vehicle from the dealer's inventory may be placed when space at the dealer's established place of business is not available"

3. Page 13, lines 4 through 6.

Strike: "store" on line 4 through "business" on line 6

Insert: "park a motor vehicle in a storage lot if:

(i) local zoning regulations permit that type of use;

(ii) the lot is in the county where the dealer's established place of business is located;

(iii) the dealer does not sell or advertise the sale of the motor vehicle at the lot; and

(iv) if applicable, the placement of the motor vehicle complies with the dealer's franchise agreement"

4. Page 14.

Following: line 20

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

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BILLS (I. Jones, Chairman): 1/15/2007
Correctly engrossed: **HB 31, HB 35, HB 219.**

**MESSAGES FROM THE
SENATE**

Senate bills passed and transmitted to the House for concurrence: 1/12/2007
SB 20, introduced by Shockley
SB 27, introduced by Esp
SB 29, introduced by Smith
SB 30, introduced by Smith
SB 50, introduced by Gallus
SB 59, introduced by Hansen
SB 73, introduced by McGee
SB 84, introduced by Elliott

Senate joint resolution passed and transmitted to the House for concurrence: 1/12/2007
SJR 1, introduced by Williams

BILLS (Jones, Chairman):
Correctly enrolled: **HB 1.**

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 322, introduced by Sinrud, Peterson, Sales, Parker, Cooney, Stapleton, referred to Judiciary.
HB 323, introduced by Thomas, J. Tropila, referred to Judiciary.
HB 324, introduced by Sands, Ryan, Laible, McNutt, Olson, referred to Judiciary.
HB 325, introduced by Dutton, Boggio, referred to Business and Labor.
HB 326, introduced by Jopek, Erickson, referred to Agriculture.
HB 327, introduced by Wilmer, Jopek, referred to Taxation.
HB 328, introduced by Stahl, Olson, referred to Federal Relations, Energy, and Telecommunications.
HB 329, introduced by Windy Boy, Parker, Campbell, McAlpin, Smith, Reinhart, Small-Eastman, Hendrick, Caferro, referred to Judiciary.
HB 330, introduced by Bergren, Villa, Noonan, Campbell, Sesso, Phillips, Jopek, referred to Federal Relations, Energy, and Telecommunications.
HB 331, introduced by Villa, referred to Appropriations.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark escorted the Senate into the House Chambers.

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Speaker Sales introduced President Cooney and yielded the chair to him.

Senator Williams moved that the body resolve itself into a joint session for the purpose of receiving the address from Montana's U.S. Senator, the Honorable Jon Tester.

Senator Williams moved that President Cooney be authorized to appoint a committee of four to notify the Honorable U.S. Senator Tester that the House was in joint session and ready to receive his address. Motion carried.

President Cooney appointed Senators Hanson and Curtiss and Representatives Bergren and Edith Clark and discharged them to escort the Honorable U.S. Senator into the House Chamber.

The committee was ready to escort U.S. Senator Jon Tester into the House.

Father Lowney, Senate Chaplain, gave the invocation.

President Cooney led the assembly in the Pledge of Allegiance to the Flag.

After being presented to the members of both houses by President Cooney, Montana's U.S. Senator Jon Tester gave this speech to the House Chamber:

U.S. Senator Jon Tester Remarks to
The 60th Session of the Montana Legislature
Helena, Montana
January 15, 2007

President Cooney, Speaker Sales, esteemed members of the Montana House and Senate: thank you for allowing me the opportunity to address this joint session of the 60th Session of the Montana Legislature. It is an honor and a privilege to be able to be with so many good friends today. It also feels mighty good to be home!

For Sharla and I, Montana is, and always will be, home. While I may have a temporary address on Capitol Hill, home will always be on the farm in Big Sandy, Montana. The people of this great state have entrusted me with the awesome responsibility of representing them in the United States Senate. It is a responsibility that I accept with humility and resolve.

That a guy like me – a third-generation dry-land grain farmer from north-central Montana – would be afforded the opportunity to represent his state in the greatest deliberative body ever conceived by man is yet another illustration of the genius of our democratic system of government. And while the task before me is daunting, I know that the lessons and values I learned in Montana will serve me well as I work hard to represent Montana every day in Washington.

I ran for the United States Senate out of a fierce determination to make our federal government work again for ordinary Americans. While that notion may seem naïve to the cynical, the dispirited, and those vested in maintaining the status quo, I know in my heart that making

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government responsive to the needs of each and every one of our citizens is not just a dream, but in fact the duty of every public servant, at every level of government.

I know it can be done because it HAS been done. Right here in Montana. During my eight years working in these very halls as a State Senator from Big Sandy, I developed an abiding faith not only in the promise of our democratic ideals, but also in the real and tangible capacity of government to get things done for people. We are the people's government.

Citizen legislatures like this one truly are the incubators of democracy. They lead the way in terms of innovation, new ideas and cutting-edge policy initiatives. They lead the way in ensuring that the voice of everyday folks is heard. Those ideals and values I learned in these very halls is what I am taking to the United States Senate.

During my time in the Montana Legislature, we were able to make genuine strides in improving the lives of people who entrusted us to do their business. We were able to make the government work for the people of our state. And how were we able to achieve these great strides? It's simple. By working together to do what is best for the people of Montana.

At the end of the day, we put aside partisanship, regional and economic differences to do the right thing. We were always guided by Montana values like common sense, living within our means, extending a hand to a neighbor in need, and investing in our future.

I ask you to consider for a moment all that was accomplished during the previous session of the Montana Legislature. Working collaboratively – across the aisle and with Governor Schweitzer – we enacted numerous and concrete policy initiatives for the people of this state. As past President of the Montana Senate, I look back with pride over our collective resolve to invest in public education; to make health care more accessible and affordable; to provide real support for Montana businesses; create new opportunities for Montana's workers; and help lead the nation toward energy independence. And we were able to achieve very real and tangible results on time, with a balanced budget, and without raising taxes. Washington can learn much from what we have accomplished here in Big Sky Country.

As you go about the people's business during this current legislative session, I ask that you continue to keep in mind these lessons learned about the need for cooperation and collaboration to advance the public good. You have the opportunity to keep Montana moving on the right track. By continuing to support public education – with programs like voluntary all-day kindergarten as well as investing in our schools and university system – you can provide every Montana child with the tools and resources they need to allow them to succeed in a highly competitive global economy.

And education is a lifelong process. Continuing education and work force training are critical to growing Montana's economy, creating jobs and providing opportunities for folks to stay in Montana, raise a family and make a living.

I am confident that these values and lessons I learned, both growing up in Big Sandy and in these halls, will serve me well as your voice in the United States Senate.

In Washington, I look forward to working both closely and cooperatively with Senator Baucus, Representative Rehberg, and members of both parties to move our state and nation forward.

As I stated earlier, the Congress of the United States can learn much from what has been accomplished right here in Montana.

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Last November, the people of this great nation expressed their overwhelming dissatisfaction with “politics as usual” in our nation’s capitol. They had grown weary of the partisan excess, scandal and a Beltway culture that placed the desires of the wealthy and well connected above the needs of ordinary Americans. They wanted their government to work for them again.

Americans have never been captive to ideology or political party. They are always open to new ideas and a fresh perspective. Most of all, they just want their government to get things done.

And those elected officials who fail to learn this lesson will sooner or later be held accountable. Again, the Montana model of government is instructive.

Take the issue of ethics. Montana enjoys some of the most progressive open-government, campaign finance and lobbyist disclosure laws in the nation. And it is my sincere hope that you do nothing to draw the veil on the ability of Montanans to see what is happening in the political process.

Sadly, this transparency in government has not been the case in Washington. Scandals and questionable ethical behavior cast a dark shadow over Congress -- and frankly over everyone in public service. The people demanded we shine light on the workings of government, and we are going to give it to them. I am proud to support the most sweeping ethics reform legislation in a generation. We are working to ban gifts and travel paid for by special-interest lobbyists; require lobbyists to be more forthcoming about their activities; and stop the “revolving door” where former members of Congress walk out the door of the nation’s capitol and into the office of a big corporate law firm as millionaire lobbyists.

But comprehensive ethics reform is only a start. Numerous challenges – both foreign and domestic – face our country today. And these challenges cannot and will not be resolved by partisanship or ideology, but by working together to make government work for each and every American.

There is likely no greater domestic challenge facing our country than how we are going to fix America’s ongoing health care crisis. With more than 46 million Americans and better than 1 in 5 Montanans lacking even the most basic form of health care coverage, this crisis is severe and I know it is apparent to each and every one of you.

Again, the progress Montana has made in the area of health care coverage can be instructive as our nation goes about addressing this monumental crisis. By fully funding the Children’s Health Insurance Program, we were able to provide health insurance to tens of thousands of Montana kids. Through the Big Sky Rx Program, we made prescription drug coverage more affordable for Montana seniors and the disabled.

And through the Insure Montana program, we were able to make health insurance more affordable to Montana small businesses and their employees.

Congress can make health care affordable and accessible for every American. It is incumbent on us to provide the political will and resolve to make it happen.

Getting a handle on our skyrocketing national debt is another urgent concern and critical to our national security. In the last five years, we’ve doubled our debt to foreign interests. And here at home, we are saddling each and every American with \$30,000 in debt. Debt that will be re-paid by our children and grandchildren.

The latest catch phrase in Washington is “pay as you go.” This means you don’t spend money you

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don't have. Not exactly a revolutionary concept here in Montana, where we've been balancing the state budget every year for more than a generation. Here in Montana we know how to live within our means. It's long past time for the federal government to do the same.

In an area that encompasses both our long term economic as well as security interests, it is essential that our nation achieve – once and for all – meaningful energy independence. And the path for America's energy independence runs right through the state of Montana.

As past President of the Montana Senate, I am extremely proud of the work we did with Governor Schweitzer and members of both parties to help Montana pave the way to America's energy independence. Working together, we were able to jump-start Montana's wind energy industry, make renewables a component of Montana's energy portfolio, and provide incentives for the production of ethanol. This has been good for Montana's economy and our national security. I look forward to working in the United States Senate to expand our nation's supply of renewable and alternative energy.

The numerous threats and challenges facing our country from abroad demand a new direction from our leadership in Washington, D.C.

More than 5 years after the heinous attacks of September 11th, most of the perpetrators of those despicable acts remain at large. In the meantime, we find ourselves mired in a bloody and open-ended conflict in Iraq. After \$300 billion dollars – that's over \$2 billion dollars a week -- and the loss of more than 3,000 American lives – including 14 Montanans – we must reexamine our strategy and foreign policy priorities.

In response to the President's recent plan to send even more troops to Iraq, my colleague, and our friend, Senator Max Baucus – whose family has suffered a grievous loss in this conflict – mapped a new course. I commend Senator Baucus for his courage and stand with him, and the tens of thousands of Montanans and millions of Americans who agree we cannot afford the status quo. Max and I are firm in our resolve to chart a new foreign policy based on political and diplomatic, as well as military, options.

Today we honor the memory of Dr. Martin Luther King, Jr. A great American leader who reminded us that we are all together in this great democracy.

It is my deep and sincere hope that as this 60th session of the Montana Legislature deliberates the people's business that you always keep in mind the following: That which unites us is far greater than that which divides us.

At the end of the day, we are more than Republicans or Democrats, city or country, Native American, Hispanic, Black or White. We are, at the end of the day, all Montanans and Americans. Working together, putting the common good over individual gain, we can both achieve the promise of our democratic ideals and make government work for every Montanan and every American. Thank you, and God Bless you all.

President Cooney asked the committee to escort U.S. Senator Tester from the House Chamber.

Senator Williams moved the joint session be adjourned.

Members of the Senate retired from the House Chamber.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 80 - Representative Hamilton moved **HB 80** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Jore, Kasten, Koopman, Lake, Mendenhall, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 99 - Representative Olson moved **HB 99** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud,

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Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Butcher, Franklin, Hendrick, Himmelberger, Jayne, Jore, Koopman, McGillvray, Rice, Stoker, Wells, Witte.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 111 - Representative Furey moved **HB 111** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Everett, Jayne, Jore, Koopman, McGillvray, Rice, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 140 - Representative Ingraham moved **HB 140** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns,

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Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 86

Noes: Becker, Butcher, Caferro, Franklin, Grinde, Groesbeck, Hiner, Jayne, Jopek, Lange, McGillvray, Pomnichowski, Ripley, Wiseman.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 3 - Representative Musgrove moved **HJR 3** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Boggio, Hawk, Ingraham, Kasten, Lake, Mendenhall, Rice, Sinrud, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the

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Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Beck, Blasdel, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Sinrud, Sonju, Witte.

Total 11

Excused: None.

Total 0

Absent or not voting: Caferro.

Total 1

HB 18 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Caferro, Thomas.

Total 2

HB 23 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Stoker.

Total 1

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

HB 41 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

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Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 32

Excused: None.
Total 0

Absent or not voting: Morgan.
Total 1

HB 42 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 43 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 51 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Blasdel, Jore, Sinrud, Sonju, Taylor, Wells.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 62 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick,

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Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Barrett, Blasdel, Everett, Heinert, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 67 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 70 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 106 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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MOTIONS

Representative Lange moved **HB 80** be rereferred to the Committee on Appropriations. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 90

Noes: Callahan, Driscoll, Franklin, Gallik, Hamilton, Hiner, Jacobson, Noonan, Villa, Wiseman.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 99 - Representative Lange moved **HB 99** be rereferred to the Committee on Appropriations. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 86

Noes: Barrett, Becker, Callahan, Dickenson, Franklin, Gallik, Henry, Hiner, Hollenbaugh, Jacobson, Keane, McAlpin, Noonan, Wiseman.

Total 14

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

HB 40, introduced by Gallik, the following sponsor was added:
Representative Ebinger.

HB 78, introduced by Parker, the following sponsors were added:
Reps. Augare, Bergren, Caferro, Callahan, Cohenour, Driscoll, Ebinger, Erickson, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Jopek, Keane, Kottel, McAlpin, McChesney, Milburn, Musgrove, Noonan, O'Hara, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman. Senators Laslovich, McGee and Schmidt.

Objection by Representative Scott Sales that **HB 21** and **HB 22** were placed on the consent calender. The bills were placed on Second Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, January 16, 2007. Motion carried.

House adjourned at 2:32 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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**HOUSE JOURNAL
60TH LEGISLATURE
TENTH LEGISLATIVE DAY**

Helena, Montana
January 16, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Representative Ripley introduced Connor Hodgskii, 4-H member from Choteau who gave the invocation. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the first, second, and third legislative days, find the same to be correct.

Jones, Chair

Democrat Caucus Leader Villa announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease.

The House reconvened at 1:25.

REPORTS OF STANDING COMMITTEES

Signed by the Speaker at 9:00 p.m., January 15, 2007: **HR 1**.

Delivered to the Secretary of State at 10:25 a.m., January 16, 2007: **HR 1**

Correctly enrolled: **HB 19, HB 36**.

Correctly engrossed: **HB 31, HB 35, HB 219**.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/15/2007

HB 207, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

1/16/2007

HB 19, introduced bill, be amended as follows:

1. Title, line 13.

Following: "77-1-613,"

Insert: "77-1-905,"

2. Page 7, line 8.

Insert: "Section 8. Section 77-1-905, MCA, is amended to read:

"77-1-905. Rental provisions for commercial leasing -- payments and credits -- administration -- lease options. (1) The first year's annual rental payment for state trust land leased for commercial purposes must be paid by cashier's check, and payment is due upon execution of the lease. The department may require the lessee of state trust land for commercial purposes to pay the department's cost of the request for proposals process, including publication and other reasonable expenses. Failure to pay the first year's rental at the time of lease execution must result in the cancellation of the lease and forfeiture of all money paid. In the event of cancellation or in the event that the successful proposer is offered and does not accept the lease, the board may enter into negotiations with other persons who submitted a proposal for commercial purposes in response to the department request for proposals on that tract.

(2) The board shall specify in any commercial lease an annual rental equal to the full market rental value of the land. The annual rent may not be less than the product of the appraised value of the land multiplied by a rate that is 2 percentage points a year less than the rate of return of the unified investment program administered by the board of investments pursuant to 17-6-201. The rate of return from the unified investment program used in this subsection must be determined no less than 30 days prior to the execution of the competitive bid. A commercial lease

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may include a rental adjustment formula established by the board that periodically adjusts the annual rent provided for in the lease at frequencies specified in the lease. The board may allow a credit against the annual rent due for payments made by the lessee on behalf of the state of Montana for construction of structures and improvements, special improvement district assessments, annexation fees, or other city or county fees attributable to the state's property interest in land leased for commercial purposes. The board may accept as lawful consideration in-kind payments of services or materials equal to the full market value of the rent calculated to be owed on any commercial lease. A lease issued under this part may include an amortization schedule to be used to determine the value to the lessee of improvements when the lease is terminated.

(3) The Except for rent received from lands granted to the state pursuant to the Morrill Act of 1862, 7 U.S.C. 301 through 308, and the Morrill Act of 1890, 7 U.S.C. 321 through 329, the department may use up to 10% of the annual rent received from a commercial lease to contract with realtors, property managers, surveyors, legal counsel, or lease administrators to administer the commercial lease, either singly or in common with other leases, or to provide assistance to the department in the administration of commercial leases.

(4) In anticipation of entering into a commercial lease, the board may issue an option to lease at a rental rate that the board determines to be appropriate. An option to lease may not exceed a term of 2 years. An option to lease may not be construed to grant a right of immediate possession or control over the land but may only preserve the optionholder's exclusive right to obtain a commercial lease on the land in the future.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

1/16/2007

HB 36, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "EXTENDING"

Insert: "REPEALING"

2. Title, line 8.

Strike: "AMENDING"

Insert: "REPEALING"

3. Page 1, line 13 through line 14.

Strike: section 1 in its entirety

Insert: "NEW SECTION. **Section 1. Repealer.** Section 2, Chapter 418, Laws of 2005, is repealed."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

1/16/2007

HB 87, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/15/2007

SB 16, introduced by Hawks

SB 43, introduced by M. Tropila

SB 62, introduced by Cobb

SB 184, introduced by Hawks

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 332, introduced by Thomas, Ryan, Olson, Keane, Perry, Noonan, Ward, referred to Transportation.

HB 333, introduced by McChesney, referred to Business and Labor.

HB 334, introduced by McChesney, referred to Judiciary.

HB 335, introduced by Dickenson, Thomas, Hiner, Franklin, Milburn, Jayne, French, Caferro, Callahan, Kottel, referred to Appropriations.

HB 336, introduced by Cohenour, Shockley, Sands, Jacobson, Mendenhall, French, Hamilton, Noonan, Moss, Cooney, Brueggeman, Elliott, Jopek, Musgrove, Sonju, referred to Judiciary.

HB 337, introduced by Cohenour, Noonan, Mendenhall, Erickson, Pomnichowski, Ebinger, French, Hamilton, Smith, Bergren, Gebhardt, Sands, J. Tropila, Jopek, Sonju, Keane, Stahl, Perry, Steinbeisser, Black, referred to Taxation.

HB 338, introduced by Cohenour, Cocchiarella, Noonan, Erickson, Pomnichowski, Sands, Ebinger, Keane, Hamilton, Smith, Bergren, Gebhardt, J. Tropila, Jopek, Steinbeisser, Black, Mendenhall, Sonju, referred to Appropriations.

HB 339, introduced by Small-Eastman, referred to Appropriations.

HB 340, introduced by Wells, Jore, Mendenhall, Curtiss, W. Jones, Rice, McGillvray, Everett, Butcher, Ward, MacLaren, Koopman, Jackson, Campbell, Klock, referred to Judiciary.

HB 341, introduced by Gallik, referred to Judiciary.

HB 342, introduced by Stahl, referred to State Administration.

HB 343, introduced by Rice, Boggio, Blasdel, Mendenhall, Hawk, Beck, Everett, Ross, Barrett, Ripley, Clark, Lambert, Morgan, Kerns, Stahl, Sinrud, J. Peterson, Sonju, Wells, McGillvray, referred to Fish, Wildlife and Parks.

HB 344, introduced by Wells, Butcher, Jore, Hawk, Blasdel, Himmelberger, Kasten, Koopman, Ripley, Nooney, Barkus, McAlpin, Curtiss, Black, Mendenhall, Everett, Jackson, MacLaren, Pomnichowski, referred to Business and Labor.

HB 345, introduced by Lange, referred to Taxation.

HB 346, introduced by Kottel, referred to Federal Relations, Energy, and Telecommunications.

HB 347, introduced by Boggio, Kitzenberg, Sesso, Olson, Villa, Noonan, referred to Education.

HB 348, introduced by Keane, referred to Business and Labor.

HB 349, introduced by Keane, referred to Judiciary.

HB 350, introduced by Sinrud, referred to Appropriations.

HB 351, introduced by Sinrud, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sonju in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 31 - Representative Kottel moved **HB 31** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns,

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Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Boggio, Kasten, Koopman.

Total 3

Voted Absentee: Ripley, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

HB 32 - Representative Furey moved **HB 32** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, L. Jones, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Hiner, Ingraham, Jayne, W. Jones, Jopek, Kasten, Malcolm, Mendenhall, Morgan, Peterson, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 27

Voted Absentee: Ripley, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 35 - Representative Keane moved **HB 35** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, Keane, Kerns, Klock, Koopman, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 85

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Noes: Barrett, Beck, Glaser, Hawk, Ingraham, Jayne, W. Jones, Jopek, Jore, Kasten, Lake, Lange, Mendenhall, Vincent, Mr. Speaker.

Total 15

Voted Absentee: Ripley, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 52 - Representative Jacobson moved **HB 52** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

Noes: Augare, Bergren, Bixby, Cohenour, Dutton, Franklin, French, Furey, Gallik, Jayne, Jopek, Kottel, Villa.

Total 13

Voted Absentee: Ripley, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 219 - Representative Ebinger moved **HB 219** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

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Voted Absentee: Ripley, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sonju moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Jayne, Mendenhall.

Total 2

Excused: Ripley.

Total 1

Absent or not voting: Blasdel, W. Jones, MacLaren, Nooney, Sonju, Stoker.

Total 6

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 111 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Everett, Jore, Koopman, McGillvray, Rice, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 10

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Excused: Ripley.
Total 1

Absent or not voting: None.
Total 0

HB 140 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 91

Noes: Becker, Bergren, Hiner, Jopek, McGillvray, Pomnichowski, Wilmer, Wiseman.
Total 8

Excused: Ripley.
Total 1

Absent or not voting: None.
Total 0

HJR 3 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 93

Noes: Boggio, Hawk, Lake, Mendenhall, Rice, Mr. Speaker.
Total 6

Excused: Ripley.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Representative Lange moved that **HB 32** be rereferred to the Committee on House Appropriations. There being no

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objections, so ordered.

Representative Lange moved that **HB 35** be rereferred to the Committee on House Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, January 17, 2007. Motion carried.

House adjourned at 2:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
ELEVENTH LEGISLATIVE DAY**

Helena, Montana
January 17, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jopek. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Sinrud and Representative Wilson who were excused. Quorum present.

Democratic Caucus Leader Villa announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease. The House reconvened at 1:25 p.m.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/16/2007

SB 44, introduced by Larson

SB 66, introduced by Wanzenried

SB 69, introduced by Wanzenried

SB 97, introduced by Cocchiarella

SB 119, introduced by Moss

SB 131, introduced by Cobb

SB 178, introduced by Lewis

SB 187, introduced by Bales

SB 188, introduced by Tash

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

1/17/2007

HB 38, introduced bill, be amended as follows:

1. Title, line 8.

Following: "87-2-104"

Insert: ", 87-2-505,"

2. Page 1, line 28.

Following: "subsection"

Strike: "3"

Insert: "(3)"

3. Page 2, line 3 through line 5.

Strike: "An applicant" on line 3 through "license." on line 5

Insert: "Unless otherwise reduced pursuant to subsection (6), the fee for a Class B-12 license is \$273."

4. Page 2, line 8.

Following: "(3)"

Strike: "must"

Insert: "or (5) may"

5. Page 2, line 9.

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Following: "be"

Strike: "set"

Insert: "reduced"

Following: "department"

Strike: "and may not exceed the regular fee provided by law for that class or species"

6. Page 2, line 10.

Insert: "Section 2. Section 87-2-505, MCA, is amended to read:

"87-2-505. Class B-10--nonresident big game combination license. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued may, upon payment of the fee of \$628 plus the nonresident hunting access enhancement fee in 87-2-202(3)(d) or upon payment of the fee established as provided in 87-1-268 if the license is one of the licenses reserved pursuant to 87-2-511 for applicants indicating their intent to use the services of a licensed outfitter and subject to the limitations prescribed by law and department regulation, apply to the fish, wildlife, and parks office, Helena, Montana, to purchase a B-10 nonresident big game combination license that entitles a holder who is 12 years of age or older to all the privileges of Class B, Class B-1, and Class B-7 licenses and an elk tag. This license includes the nonresident conservation license as prescribed in 87-2-202. Not more than 11,500 unreserved Class B-10 licenses may be sold in any 1 license year.

(2) A person who is not a resident, as defined in 87-2-102, who is unsuccessful in the Class B-10 big game combination license drawing may pay a fee of \$25 to participate in a preference system for deer and elk permits established by the commission.

~~(3) A holder of a Class B-10 nonresident big game combination license may apply for a Class B-12 nonresident antlerless elk B tag license when authorized by the commission pursuant to 87-2-104. The fee for a Class B-12 license is \$273. The license entitles the holder to hunt in the hunting district or portion of a hunting district and under the terms and conditions specified by the commission."~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

1/17/2007

HB 71, introduced bill, be amended as follows:

1. Page 4, line 13.

Following: "may"

Insert: "not trap, but may"

Following: "hunt"

Strike: "only bobcat, wolverine, and Canadian lynx"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/16/2007

HB 86, introduced resolution, be amended as follows:

1. Page 4, line 20.

Following: "sanctions,"

Insert: "retaliation,"

And, as amended, be adopted. Report adopted.

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EDUCATION (Jore, Chairman):

1/16/2007

HB 121, introduced bill, be amended as follows:

1. Page 2, line 5.

Following: "facilities"

Strike: "to"

Insert: "that"

Strike: "21"

Insert: "23"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/16/2007

HB 177, introduced resolution, be amended as follows:

1. Page 3.

Following: line 6

Insert: "(17) "state agency" means a department, board, commission, authority, or other governmental entity of the executive branch of state government, including the Montana university system, that sends or receives electronic records;"

Renumber: subsequent subsection

2. Page 3, line 16.

Strike: "The secretary of state"

Insert: "Any state agency"

Strike: "for state government"

And, as amended, be adopted. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/16/2007

HB 206, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "LEVIED"

Insert: "AND WHETHER THE MILL LEVY IS PERMANENT"

2. Page 1, line 26.

Following: "(c)"

Insert: "whether the levy is permanent or"

Strike: ", if any,"

3. Page 2, line 6.

Following: "body"

Insert: ", as defined in 7-6-4002,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/16/2007

HB 242, introduced bill, be amended as follows:

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1. Title, page 1, line 5 through line 6.

Strike: "TO" on line 5 through "ELECTION" on line 6

2. Page 1, line 17.

Strike: "in"

Insert: "under"

Strike: "paper"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

1/17/2007

HB 113, introduced bill, be amended as follows:

1. Page 3, line 12.

Strike: "limited partners"

Insert: "members"

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

1/17/2007

HB 215, introduced bill, be amended as follows:

1. Page 2, line 3 through line 6.

Following: "(4)" on line 3

Strike: "(a)" on line 3 through "(b)" on line 6

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

1/16/2007

HB 128, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/16/2007

HB 124, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

1/17/2007

HB 10, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

1/17/2007

HB 76, do pass. Report adopted.

HB 137, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

1/16/2007

HB 122, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 126, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HB 127, introduced bill, do pass and be placed on the consent calendar. Report adopted.

BILLS (L. Jones, Chairman):

1/17/2007

Correctly printed: **HB 87**, **HB 207**.

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 352, introduced by Barrett, referred to Education.
HB 353, introduced by McGillvray, referred to Judiciary.
HB 354, introduced by Caferro, referred to Education.
HB 355, introduced by Lambert, Nooney, referred to Judiciary.
HB 356, introduced by Lange, Story, Stapleton, Sales, referred to Taxation.
HB 357, introduced by Cohenour, referred to Education.
HB 358, introduced by Dutton, referred to Business and Labor.
HB 359, introduced by Dutton, referred to Human Services.
HB 360, introduced by McChesney, referred to Business and Labor.
HB 361, introduced by Kottel, referred to Judiciary.
HB 362, introduced by Olson, referred to Taxation.
HB 363, introduced by Ward, Hollenbaugh, Lange, referred to Education.
HB 364, introduced by Malcolm, Esp, referred to Agriculture.
HB 365, introduced by W. Jones, referred to Appropriations.
HB 366, introduced by Raser, Gillan, Brueggeman, referred to Appropriations.
HB 367, introduced by Himmelberger, referred to Local Government.
HB 368, introduced by Himmelberger, Campbell, Lange, Sonju, Bergren, referred to Appropriations.
HB 369, introduced by Pomnichowski, MacLaren, Nooney, Jopek, Ebinger, Noonan, Thomas, referred to State Administration.
HB 370, introduced by Pomnichowski, Jopek, Noonan, Ebinger, Thomas, referred to Judiciary.
HB 371, introduced by Sonju, Taylor, Beck, W. Jones, L. Jones, Cordier, Gillan, Jackson, Blasdel, Bergren, Milburn, Brueggeman, Brown, Ward, Barkus, Sinrud, Witte, Everett, referred to Appropriations.
HB 372, introduced by Ingraham, referred to Local Government.
HB 373, introduced by McNutt, Tash, J. Peterson, Rice, referred to Natural Resources.
HB 374, introduced by French, Kitzenberg, Erickson, Reinhart, Cohenour, Kottel, Henry, Augare, Wilmer, referred to Appropriations.
HB 375, introduced by L. Jones, referred to Judiciary.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 14, introduced by Heinert, Curtiss, Vincent, Jackson, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Becker in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 21 - Representative Morgan moved **HB 21** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Sinrud, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 22 - Representative McAlpin moved **HB 22** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Sinrud, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 87 - Representative Cordier moved **HB 87** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

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Noes: Kasten, MacLaren, McGillvray, Sonju, Taylor.
Total 5

Voted Absentee: Sinrud, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 96 - Representative Kerns moved **HB 96**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Strike: "A COUNTY"

Insert: "THE BOARD OF VETERANS' AFFAIRS"

2. Title, page 1, line 6.

Strike: "WITH"

Insert: "SUBJECT TO"

3. Page 1, line 14.

Following: "account"

Insert: "in the state special revenue fund"

Following: "maintenance of"

Strike: "state"

4. Page 1, line 14 through line 15.

Strike: "established" on line 14 through "counties" on line 15

Insert: "designated by the board as state veterans' cemeteries"

5. Page 1, line 23.

Strike: "that"

Insert: "in which the board"

6. Page 2, line 2.

Strike: "A county"

Insert: "The board"

7. Page 2, line 3.

Following: "if"

Insert: ": (i) the legislature has authorized the cemetery pursuant to subsection (2) or (3); and (ii)"

8. Page 2, line 4.

Following: "for a"

Insert: "state"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Callahan, Cohenour, Cordier, Villa, Wilson.

Total 5

Voted Absentee: Sinrud, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 96 - The motion that **HB 96** do pass carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 95

Noes: Callahan, Jore, Kasten, Koopman, Mr. Speaker.

Total 5

Voted Absentee: Sinrud, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 207 - Representative Ingraham moved **HB 207** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Sinrud, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Becker moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: None.

Total 0

Excused: Sinrud, Wilson.

Total 2

Absent or not voting: Boggio, Dutton, Hendrick, Kasten, McGillvray, Mendenhall, Ripley, Van Dyk, Wells.

Total 9

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 31 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Boggio, Kasten, Koopman, Morgan, Stahl.

Total 5

Excused: Sinrud, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 52 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Cohenour, Dutton, Franklin, French, Gallik, Jayne, Villa.

Total 7

Excused: Sinrud, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 219 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: Sinrud, Wilson.

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Total 2

Absent or not voting: Butcher, Campbell.
Total 2

MOTIONS

Representative Lange moved **HB 96** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 293** be rereferred to the Committee on Administration. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 189, introduced by Cordier, the following sponsors were added:
Senators Barkus, Brueggeman and Weinberg. Reps. Blasdel, W. Jones and Jopek.

HB 360, introduced by McChesney, the following sponsors were added:
Reps. Hamilton, Hollenbaugh and Kottel.

Speaker Sales objected to the placement of **HB 121, HB 122, HB 126, HB 127** on the consent calendar. The bills were placed on Second Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, January 18, 2007. Motion carried.

House adjourned at 1:55 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWELFTH LEGISLATIVE DAY**

Helena, Montana
January 18, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Bill Jones. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark escorted the Senate into the House Chambers.

Speaker Sales introduced President Cooney and yielded the chair to him.

Senator Williams moved that the body resolve itself into a joint session for the purpose of receiving the State of the Judiciary Address from the Honorable Chief Justice of the Supreme Court of the State of Montana, Karla M. Gray.

Senator Williams moved that President Cooney be authorized to appoint a committee of four to notify the Honorable Chief Justice that the House was in joint session and ready to receive her address. Motion carried.

President Cooney appointed Senator Laslovich, Senator Shockley, Representative Gallik and Representative Rice. and discharged them to escort the Honorable Chief Justice of the Supreme Court into the House Chamber.

Father Lowney, Senate Chaplain, gave the invocation.

President Cooney led the assembly in the Pledge of Allegiance to the Flag.

President Cooney recognized the Honorable Justices of the Montana Supreme Court: Justice James Nelson, Justice Patricia O'Brien Cotter, Justice James Rice, Justice Brian Morris, Clerk of the Supreme Court, Ed Smith.

After being presented to the members of both houses by President Cooney, Chief Justice gave the following speech to the House Chamber:

Speaker Sales, President Cooney, Members of the Sixtieth Montana Legislature, honored guests and fellow Montanans:

I'm most honored to report to this joint session of the Montana Legislature—and the people we all serve—on the Judicial Branch's accomplishments since our two branches were last

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officially together in 2005, and on the challenges that remain. This is the fourth time I've formally reported to you as Chief Justice of the Montana Supreme Court, and it's certainly been an interesting "ride," thanks in large part to this body's decision in 2001 to have the state assume financial responsibility for the District Courts spread across the entirety of this place we all so gratefully call home. I report with great satisfaction that the promise of state assumption is being realized, and that the Judicial Branch has entered a new era of accountability, modernization and increased responsiveness to Montana's citizens. We still need your help to meet our constituents' needs for—and constitutional guarantees to—quality and reasonably timely justice, but more on that a bit later.

Let me start by recognizing, and thanking you for, the hugely important action you took last session—under the leadership of Senator McGee and others—in creating the first-ever Montana public defender system. That system is rightly being looked to as a model by other states, and by removing responsibility for indigent defense from the Judicial Branch to the branch where it properly belongs, you also left us—thankfully—able to focus on Judicial Branch planning and activities.

This has been a biennium of enormous accomplishments and improvements in the Judicial Branch which, as you know, has approximately 400 employees across Montana, but makes up only 2.5% of the overall state general fund budget. I started preparing for today with a very lengthy list of our successes during the past biennium. I soon realized it was just too much to cover without risking my vocal cords and, much more importantly, without presuming on your time constraints. So, I've narrowed down to a few major areas. I invite you to contact either myself or our excellent administrative staff if you want to learn more or if we can assist you in your work in any appropriate way. Government works best when it works together to meet the needs of our citizens.

The Judicial Branch has focused heavily on Montana's kids these past two years, first with our emphasis on more efficient and effective management of child abuse and neglect cases. At the urging of the Judicial Branch, the Departments of Public Health and Human Services and Justice, as well as the new Office of the Public Defender, joined with us to hold the first-ever Montana summit on the protection of children this past August; its theme was "Children Can't Wait." The event brought together almost 200 people—prosecutors, defenders, social workers, volunteer CASAs (court-appointed special advocates for kids) and trial judges—to focus on improving processes for Montana children and their families involved in abuse and neglect cases. Senators Williams and Esp joined us, and we appreciated it.

The summit was a huge, action-oriented success. Real, tangible improvements on the state and local level began there, and continue through local action teams made up of all the "players" in child abuse and neglect cases, because children really can't wait. Our second children's summit—with the theme "Dear Kids, We're Getting There!"—will be held on August 22 and 23 this year, and I invite all of you to join us in this important collaborative effort. I'm glad to see from the number of bill draft requests on this subject that the Judicial Branch and the Legislature are on the same page about the importance of improving abuse and neglect proceedings. It's an area that needs the efforts of all of us—for Montana's kids.

I mentioned our wonderful CASAs as important participants in last year's summit, and I

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want all of you to know about the extraordinary help they provide to kids and trial courts in abuse and neglect proceedings. We need more volunteer CASAs and more CASA programs throughout the state. To that end, you have before you a modest budget proposal to expand existing programs and create new ones where they don't yet exist. Montana's kids will benefit greatly by your favorable consideration.

Another major emphasis and accomplishment relating to children has been our improvements in the Youth Courts. We have fully implemented an automated and shared case management system in all Youth Courts, resulting in availability of statistics and data about youths in the Youth Court system. We produced the first-ever "Youth Court Report Card," designed to provide information and accountability to the people of Montana. The District Court Council reallocated some existing Youth Court resources to provide more help to Youth Courts with the greatest need. We still need, however, the very minimal staffing increases for Youth Courts which are contained in our budget proposals. Again, we hope you will give these staffing increases favorable consideration.

Our last major effort involving youths and Youth Courts was to work with the Department of Corrections to modify provisions of the incredibly successful Juvenile Delinquency Intervention Program (called JDIP), in ways agreeable to both the Department and the Judicial Branch. This carefully negotiated legislation is now before you in Senator Shockley's SB 146, and we urge its passage.

The overall vision of state assumption was to allocate state resources to Montana's trial courts on a reliable and systematic basis relying on sound data. Thus, a major, two-part focus within the Judicial Branch over the last two years has been to collect actual data, on an "apples-to-apples" basis, on trial court filings and workload. The first part was the adoption of Uniform Case Filings Standards by the Supreme Court, effective January 1, 2006, after long and careful study and work by the District Court Council. For the first time ever, we will soon share with you the numbers of filings for each District Court on an equal and case-specific basis. The second major component of the data soon available to you is the result of a District Court Workload Assessment Study which explains—in real terms—how much judicial time is spent on each type of case. This careful and process-oriented study grew out of the District Court Council, and was ably led by District Court Judges McKeon, McKittrick, McLean, Curtis, Watters and Tucker, with expertise obtained from the National Center for State Courts. The detailed workload assessment study, together with the results of the uniform case filing standards, will provide an appropriate basis for your serious consideration—in the 2009 Session—of the very real need for more judges in Montana.

In the meantime, we are requesting small additions in FTEs for staffing the District Courts. These modest proposals, for which we respectfully ask your support, will enable Montana trial courts to provide better service to the people of Montana.

Judges, of course, rely heavily on highly competent and motivated employees in addressing their growing caseloads and other judicial obligations, and I can assure you that the District Courts and Youth Courts are chock full of some of the finest public employees in Montana. But we have been dogged since state assumption with large inequities in employee pay which resulted from state assumption. This problem is significant because it affects not only

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employee morale, but our ability to continue to hire and retain quality people to staff our courts. We have repeatedly requested your help on this issue, and we seek it again this session. It is totally unfair to subject our employees—all within one branch of government—to an inequitable pay system; it is even more unfair when, on top of intra-branch inequities, Judicial Branch employees whose work is very similar to certain Executive Branch employees, also are paid less than those employees. I urge you to support our budget proposal to finally equalize Judicial Branch employee pay, so the Judicial Branch you effectively created via state assumption can treat its employees like others in state government service.

On another matter closely related to District Court workload and staffing, one thing that became clear during the children's summit was the difficulty trial judges have in meeting the tight statutory timelines required for child abuse and neglect cases, given their heavy caseloads. The same is true with a large number of other statutes that require District Courts to give certain cases priority and meet strict timelines. I know you understand that judges need adequate time to hear, consider and decide cases. So, I respectfully request you to be mindful—as you consider changes to the child abuse and neglect, and other, statutes—that imposing stricter, and shorter, and additional, timelines may result in expectations and requirements of District Courts that simply cannot humanly be met.

Another major Judicial Branch emphasis continues to be information technology and modernization, an area in which we have made great strides. When I became Chief Justice in 2001, Montana courts were operating with what might accurately be characterized as late 1950s technology. You helped us move forward with critically needed funding in 2003 and 2005. That funding, in combination with federal dollars—which I didn't like asking for, but which were so desperately needed by our branch—allowed us to move parts of our courts to early twenty-first century technology standards. All but the tiniest Courts of Limited Jurisdiction are now served by a modern case management system called FullCourt. The Youth Courts have a shared case management system. The Clerk of the Supreme Court finally has a modern case management system which no longer relies on Word Perfect 5.1. And, importantly, both the Courts of Limited Jurisdiction and the District Courts share a central repository for court data, with catastrophic data back-up, which also allows the courts to share information with other entities such as the Department of Justice.

In addition, with the assistance of Clerks of the District Court in Missoula and Mineral counties, we have piloted a case management system that will modernize data collection at the District Court level. We must be able to install and implement that system in the other twenty-one Judicial Districts, so that—finally—all of our courts will be on the same twenty-first century technology page at the same time. On a related matter, the Montana Supreme Court has developed and soon will roll out detailed rules addressing public access to court records. Technology truly will lead to greater public access to court records and, consequently, to more transparency and accountability in our branch.

I'm very proud of what the Judicial Branch has accomplished with regard to information technology and automation in so few years and with limited resources. Our efforts in this arena have been successful because we function as a branch of government, rather than separate county-based District Courts; and we have been good and careful stewards of public dollars.

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For these reasons, I'm comfortable asking for your assistance in finalizing our remaining and necessary technology projects: completing the modernization of District Court case management systems; supporting video conferencing in the District Courts across Montana, with its significant time and cost savings to courts, citizens, local law enforcement and others; and obtaining additional technology-related equipment for our courtrooms. To meet these needs, I respectfully request your strong support for our one-time-only technology proposals in HB 14.

Mentioning courtroom technology needs leads me directly to District Court safety and security. Courthouses and courtrooms are where Montanans come to resolve their legal disputes, and surely Montanans have a right to safe and relatively secure courts. During this past interim, thanks to a partnership with MACO, the Sheriff and Peace Officers' Association and the Department of Justice, we identified many instances where Montana's courthouses and courtrooms are not providing the level of security and safety needed for citizens, staff and judges. Please assist all of our citizens, the courts and the counties in addressing this problem by supporting our modest request for one-time-only safety and security funds.

I have spoken with some pride about our recent accomplishments in improving court systems and services for the people of Montana in the trial courts. I want to recognize and thank each and every one of our District Court Judges and Judges of the Courts of Limited Jurisdiction for their dedicated and high-quality service to the people of Montana. I also simply must recognize and thank our outstanding Judicial Branch employees for their commitment to public service and to Montana's citizens.

Last, but certainly not least, I respectfully call your attention to the Montana Supreme Court and its substantial need for additional resources. For those of you who remember, we were on the brink of an intermediate appellate court in Montana at the time you passed state assumption in 2001. That also was the last year in which direct staff for the Supreme Court was added—three law clerks. Since that time, I have given priority to the resource needs of the District Courts, their staffing, and other state assumption matters which were not adequately funded at the outset of state assumption. It was the right thing to do; but the Supreme Court has resource needs as well.

We are one of the most productive high courts in the nation, and it's a good thing. From 1991 through 1995, our caseload increased 2%; from 1996 through 2000, an increase of 20%; from 2001 through 2005, an 11.2% increase. Last year we resolved 736 cases, 352 of them by written opinion. In contrast, the U.S. Supreme Court issues in the neighborhood of 80 to 85 opinions a year.

Your Supreme Court also has spent many hundreds of hours in revising various court rules—including the critically important water court claim examination and adjudication rules needed to “ramp up” the adjudication of water rights after the 2005 Session. Other Supreme Court administrative-related duties also have increased since state assumption. I am proud of our Supreme Court and its commitment to both quality and timely justice for Montanans, at a time of more complex cases, higher caseloads and increased administrative obligations. I believe you and all Montanans rightfully can be proud, too.

On behalf of the people of Montana whose cases too often wait too long for the “end of the legal road,” however, I simply must urge you to provide much-needed additional staff for the

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Supreme Court. We are requesting 2.5 additional FTE for direct Court staff. 1.5 of those FTE are for a new, in-house appellate mediation program that could resolve a significant portion of our caseload. The other FTE is for a pro se law clerk to significantly decrease the amount of time Justices currently must spend on inmate petitions and other matters involving persons not represented by counsel. Please help us do a better and more timely job for the people of Montana by approving these proposals.

Coming around to complete the circle, I've outlined for you just some of our most significant accomplishments in improving the Judicial Branch in the last two years. Our justices, judges and staff inspire me every day with their dedication and willingness to go the extra miles for our citizens. Together, and with your help, we have made significant improvements. Together, and with your help, we can and will do more.

I recall with pleasure a statement on the floor of this chamber during the last session. A Representative said, "You can't put a price on justice" with regard to adding a judge, staff and operating costs in his county. I ask you all to remember that while—in the real world—it is necessary to put a "cost" on justice, justice is best served through a carefully managed statewide Judicial Branch that has at least minimally adequate resources to meet the needs of all the people of Montana.

Our overall Judicial Branch goals are to ensure that every Montanan can access our courts, so some day we will achieve truly equal justice, and to ensure that the administration of justice is fair, impartial and accountable to the people of Montana we serve. We strive to meet these goals every day.

I'd like to close my formal remarks to this Legislature the same way I did two years ago. I know that—like our branch—all of you aspire to goals on behalf of your constituents. As elected state level officials, we are all committed to serving our constituents with dignity and giving them the best that is in us. Let's remember together that we are part of the best system of government the world has ever seen—three separate branches with built-in checks and balances, a system that is the envy of people around the world. Let's remember together the sacrifices made to protect our form of government and individual freedoms. If we keep these basic ideas close to our minds and hearts, these will be our proudest moments—and we will have faithfully discharged our duties to the people we all serve.

Please know that the Judicial Branch recognizes your critical role in government and the sacrifices you make in being here; we applaud the work you do. We look forward to working with you in the future and, on behalf on Montana's Justices, Judges and staff, I wish you a productive and successful Sixtieth Legislative Session. Thank you.

The committee escorted Chief Justice Gray from the House Chamber.

Senator Williams moved the joint session be adjourned.

Members of the Senate retired from the House Chamber.

REPORTS OF STANDING COMMITTEES

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BILLS (Jones, Chairman): 1/17/2007
Correctly engrossed: **HB 38, HB 71, HB 86, HB 113, HB 177, HB 206, HB 215, HB 242, HB 121.**

Correctly printed: **HB 10, HB 76, HB 122, HB 124, HB 126, HB 127, HB 128, HB 137.**

STATE ADMINISTRATION (Himmelberger, Chairman): 1/18/2007
HB 105, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "~~upon~~"

Insert: "in Helena or a site mutually agreed upon"

2. Page 1, line 17.

Following: "~~Helena~~"

Insert: "in Helena"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/17/2007
SB 37, introduced by Gebhardt
SB 90, introduced by Laslovich
SB 94, introduced by Esp
SB 163, introduced by Shockley
SB 170, introduced by Perry

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 376, introduced by Milburn, referred to Fish, Wildlife and Parks.

HB 377, introduced by Klock, Hamilton, referred to Appropriations.

HB 378, introduced by Windy Boy, Clark, Boggio, Cocchiarella, Brown, Smith, Thomas, Stahl, referred to Business and Labor.

HB 379, introduced by MacLaren, Shockley, Sonju, Heinert, Stahl, Blasdel, W. Jones, Stoker, McGillvray, Everett, referred to Judiciary.

HB 380, introduced by Furey, referred to Agriculture.

HB 381, introduced by Furey, referred to State Administration.

HB 382, introduced by MacLaren, Arntzen, Stahl, Hilbert, Hendrick, Lake, W. Jones, Cohenour,

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Furey, Erickson, referred to Judiciary.

HB 383, introduced by Kerns, Bales, referred to Natural Resources.

HB 384, introduced by Rice, Sales, Jore, Wells, Koopman, Witte, Boggio, Mendenhall, Parker, Sinrud, Beck, Wiseman, Jayne, Barrett, Kerns, Lange, Ross, Everett, referred to Judiciary.

HB 385, introduced by Erickson, referred to Appropriations.

HB 386, introduced by Ripley, Black, L. Jones, referred to Human Services.

HB 387, introduced by Caferro, referred to Appropriations.

HB 388, introduced by Noonan, Larson, Hiner, Hollenbaugh, Sesso, Squires, Dickenson, Wiseman, Grinde, Erickson, Branae, Augare, Lewis, Bergren, J. Peterson, Wilmer, Villa, McAlpin, Ebinger, Cooney, Keane, Jacobson, Jayne, Gillan, Jopek, Ryan, Thomas, Windy Boy, Pomnichowski, Hamilton, Gallik, Driscoll, Groesbeck, Henry, Cordier, referred to Appropriations.

HB 389, introduced by Barrett, Rice, Olson, Milburn, Bales, referred to Fish, Wildlife and Parks.

HB 390, introduced by Nooney, referred to Business and Labor.

HB 391, introduced by Furey, referred to Agriculture.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 15, introduced by Furey, referred to Natural Resources.

HJR 16, introduced by Ripley, Black, L. Jones, Sinrud, Barkus, Essmann referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 10 - Representative Franklin moved **HB 10** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman,

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Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 93

Noes: Everett, Jore, Koopman, Sinrud, Wells, Witte, Mr. Speaker.

Total 7

Voted Absentee: Olson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 19 - Representative McNutt moved **HB 19** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 93

Noes: Everett, Jore, Koopman, McGillvray, Morgan, Wells, Witte.

Total 7

Voted Absentee: Olson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 36 - Representative Musgrove moved **HB 36** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Barrett, Everett, Himmelberger, Jore, Koopman, Mendenhall, Sinrud, Sonju, Witte, Mr. Speaker.

Total 10

Voted Absentee: Olson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 137 - Representative Villa moved **HB 137** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Glaser, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Morgan, Peterson, Rice, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Olson, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 122 - Representative Keane moved **HB 122** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: McGillvray, Peterson.

Total 2

Voted Absentee: Olson, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

HB 126 - Representative Keane moved **HB 126** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells,

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Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Olson, Aye.

Excused: None.
Total 0

Absent or not voting: Sinrud, Van Dyk.
Total 2

HB 127 - Representative Keane moved **HB 127** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Olson, Aye.

Excused: None.
Total 0

Absent or not voting: Dutton, L. Jones.
Total 2

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Raser, Reinhart, Ripley, Ross, Sands, Sinrud, Sonju, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Koopman.

Total 1

Excused: Olson.

Total 1

Absent or not voting: Bixby, Blasdel, Campbell, Clark, Cordier, Dutton, Hamilton, Heinert, Hilbert, Himmelberger, Ingraham, Malcolm, McAlpin, Phillips, Pomnichowski, Rice, Sesso, Small-Eastman, Stahl, Van Dyk, Wilmer.

Total 21

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 21 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Barrett.

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Total 1

Excused: Olson.

Total 1

Absent or not voting: McGillvray.

Total 1

HB 22 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Olson.

Total 1

Absent or not voting: McAlpin, McGillvray.

Total 2

HB 87 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy

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Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Olson.
Total 1

Absent or not voting: McAlpin, McGillvray, Thomas.
Total 3

HB 207 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Olson.
Total 1

Absent or not voting: McAlpin.
Total 1

MOTIONS

Majority Leader Lange moved **HB 19** be re-referred to the Committee on Appropriations.

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm,

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McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Parker, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 74

Noes: Bixby, Caferro, Callahan, Driscoll, Erickson, Franklin, Furey, Gallik, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, Noonan, Phillips, Pomnichowski, Sesso, Small-Eastman, Thomas, Wilson, Windy Boy.

Total 24

Excused: Olson.

Total 1

Absent or not voting: McAlpin.

Total 1

Majority Leader Lange moved **HB 343** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 60** be rereferred to the Committee on Judiciary. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 193, introduced by Nooney, the following sponsors were added:

Reps. Ankney, Augare, Beck, Blasdel, Boggio, Cordier, Dutton, Ebinger, Erickson, French, Hands, Hilbert, Hollenbaugh, Ingraham, Jore, Kerns, Kottel, Lange, McChesney, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Reinhart, Sands, Thomas, Van Dyk, Vincent, Wilmer, Witte.

HB 236, introduced by Jacobson, the following sponsors were added:

Reps. Bixby, Butcher, Callahan, Grinde, Hamilton, Hilbert, Lambert, MacLaren, Noonan, Nooney, Sands, Vincent, Wilmer.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, January 19, 2007. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER

SCOTT SALES

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Chief Clerk of the House

Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana
January 19, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Posting of the Colors was done by Girl Scout Troop 834 from Sacajawea Middle School and Monforton School, Bozeman, Montana. Speaker Sales introduced the Girl Scouts from Troop 834:

Valerie Kutsch
Michelle Schaefer
Kaleigh Rotert
Meghan Costle
Sascha Smith
Emily Pringle

Invocation by Representative Hilbert. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representatives Franklin, McChesney, Morgan and Dutton who were excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman)

Correctly engrossed: **HB 105**.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

1/18/2007

HJR 115, be adopted. Report adopted.

HJR 226, introduced joint resolution, be amended as follows:

1. Page 1, line 22.

Following: "\$5"

Insert: "upon payment of a fee not to exceed \$5"

And, as amended, be adopted. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

1/19/2007

HB 102, introduced bill, be amended as follows:

1. Page 2, line 4.

Following: "property."

Strike: "Property owners"

Insert: "Properties"

2. Page 4, line 22.

Following: "property."

Strike: "Property owners"

Insert: "Properties"

3. Page 5, line 24.

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Strike: "7-12-4102"

Insert: "7-12-4102(3)"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/19/2007

HB 81, do pass. Report adopted.

HB 129, do pass. Report adopted.

HB 153, do pass. Report adopted.

HB 241, do pass. Report adopted.

HJR 7, be adopted. Report adopted.

JUDICIARY (Rice, Chairman):

1/19/2007

HB 28, introduced bill, be amended as follows:

1. Page 13, line 8.

Strike: "in this state or any other state"

2. Page 13, line 20.

Following: "~~(b)~~"

Insert: "(a) Upon receiving a record of the conviction of any person under this section upon a charge of driving a noncommercial vehicle while the person's driver's license, privilege to drive, or privilege to apply for and be issued a driver's license was suspended or revoked, the department shall extend the period of suspension or revocation for an additional 1-year period.

(b)"

And, as amended, do pass. Report adopted.

HB 98, do pass. Report adopted.

HJR 9, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/18/2007

SB 23, introduced by Moss

SB 48, introduced by Esp

SB 72, introduced by Squires

SB 82, introduced by Brueggeman

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 392, introduced by Bergren, Windy Boy, Stahl, Musgrove, referred to Agriculture.

HB 393, introduced by Henry, referred to Business and Labor.

HB 394, introduced by W. Jones, referred to Appropriations.

HB 395, introduced by W. Jones, referred to Appropriations.

HB 396, introduced by Furey, referred to Agriculture.

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HB 397, introduced by Ward, referred to Judiciary.
HB 398, introduced by Hendrick, Ripley, referred to Fish, Wildlife and Parks.
HB 399, introduced by Villa, Branae, Gallik, Hands, Sesso, referred to State Administration.
HB 400, introduced by Villa, referred to Agriculture.
HB 401, introduced by Villa, referred to Natural Resources.
HB 402, introduced by Noonan, referred to Judiciary.
HB 403, introduced by Jore, referred to Judiciary.
HB 404, introduced by Jore, referred to Education.

The following Senate joint resolution was introduced, read first time, and referred to committee:
SJR 1, introduced by Williams, referred to Rules.

Majority Leader Lange announced that Republicans would caucus. Democrat Caucus Leader announced that Democrats would caucus. The House reconvened at 1:30 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

HB 38, HB 113, HB 121 - Representative Lange moved consideration of **HB 38, HB 113, HB 121** be passed for the day. Motion carried.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 71 - Representative MacLaren moved **HB 71** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Beck, Bergren, Blasdel, Boggio, Butcher, Everett, French, Hawk, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Koopman, Lambert, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Ripley, Ross, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.
Total 29

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.
Total 0

Absent or not voting: Glaser.
Total 1

HB 76 - Representative McNutt moved **HB 76** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Butcher, Gallik, Jayne, Peterson.

Total 4

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 86 - Representative Musgrove moved **HB 86** do pass.

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Glaser, Ripley.

Total 2

HB 124 - Representative French moved **HB 124** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 87

Noes: Beck, Becker, Boggio, Clark, Everett, Jore, Kasten, Mendenhall, Sinrud, Sonju, Mr. Speaker.

Total 11

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Barrett, Glaser.

Total 2

HB 128 - Representative Becker moved **HB 128** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Beck, Cohenour, Glaser, Wells.

Total 4

HB 177 - Representative Boggio moved **HB 177** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 96

Noes: None.

Total 0

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Beck, Glaser, L. Jones, Lange.

Total 4

HB 206 - Representative Ingraham moved **HB 206** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Beck, Glaser, Sonju.

Total 3

HB 242 - Representative Ripley moved **HB 242** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

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Voted Absentee: Dutton, Franklin, McChesney, Morgan, Ayes.

Excused: None.

Total 0

Absent or not voting: Beck, Glaser.

Total 2

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: None.

Total 0

Excused: Dutton, Franklin, McChesney, Morgan.

Total 4

Absent or not voting: Beck, Ebinger, Glaser, Kerns, Stahl.

Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 10 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 89

Noes: Everett, Jore, Sinrud, Ward, Witte.

Total 5

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Excused: Dutton, Franklin, McChesney, Morgan.
Total 4

Absent or not voting: Beck, Glaser.
Total 2

HB 36 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 88

Noes: Everett, Himmelberger, Jore, Koopman, Mendenhall, Witte.
Total 6

Excused: Dutton, Franklin, McChesney, Morgan.
Total 4

Absent or not voting: Beck, Glaser.
Total 2

HB 122 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: McGillvray, Peterson.
Total 2

Excused: Dutton, Franklin, McChesney, Morgan.
Total 4

Absent or not voting: Beck, Glaser.
Total 2

HB 126 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Dutton, Franklin, McChesney, Morgan.

Total 4

Absent or not voting: Beck, Glaser.

Total 2

HB 127 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: None.

Total 0

Excused: Dutton, Franklin, McChesney, Morgan.

Total 4

Absent or not voting: Beck, Glaser.

Total 2

HB 137 passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 66

Noes: Ankney, Barrett, Blasdel, Butcher, Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr.

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Speaker.
Total 27

Excused: Dutton, Franklin, McChesney, Morgan.
Total 4

Absent or not voting: Beck, Glaser, Hiner.
Total 3

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, January 22, 2007. Motion carried.

House adjourned at 2:28 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana
January 22, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative MacLaren. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

The Speaker introduced the pages of the week:

Shannon Bergren, Havre
Charlie Smillie, Billings
Jade Gasek, Billings
Grace Phillips, Bozeman
Anna Drew, Billings
Kristi Young, Bozeman
Tate Carpenter, Bozeman
Risi Arguelles, Billings

Democratic Caucus Leader Villa, announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease. The House reconvened at 1:20 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 1/19/2007
Correctly printed: **HB 81, HB 98, HB 115, HB 129, HB 153, HB 241, HJR 7, HJR 9.**
Correctly engrossed: **HB 102, 226, 28.**

JUDICIARY (Rice, Chairman): 1/18/2007
HB 84, do pass. Report adopted.
HB 82, introduced bill, be amended as follows:

1. Page 1, lines 16 and 17.

Strike: "as defined in 45-8-213"

2. Page 1, line 20.

Strike: ", as defined in 45-8-213,"

3. Page 1, line 23.

Strike: ", as defined in 45-8-213,"

4. Page 2, line 1.

Strike: ", as defined in 45-8-213,"

5. Page 2.

Following: line 14

Insert: "(4) As used in this section, "electronic communication" means a sign, signal, writing, image, sound, data, or intelligence of any nature transmitted or created in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photo-optical system."

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And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman): 1/22/2007
HB 254, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman): 1/22/2007
HJR 1, introduced joint resolution, be amended as follows:

1. Page 1, line 30.

Following: "labor groups,"

Insert: "health insurers, health benefit plans,"

2. Page 2, line 6.

Following: "labor groups,"

Insert: "health insurers, health benefit plans,"

3. Page 2, line 9.

Following: " ; "

Strike: "and"

Insert: "(5) work to reduce the number of mandated health insurance benefits requiring insurers to cover specific services, providers, and benefits as these mandated benefits have been shown to drive up the cost of health insurance for all Americans;

(6) work to create a competitive market-based health insurance environment among the states by allowing insurers licensed to sell policies in one state to sell policies in any other state; and"

Renumber: subsequent subsection

And, as amended, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/19/2007

SB 35, introduced by J. Tropila

SB 70, introduced by J. Tropila

SB 126, introduced by Gallus

SB 150, introduced by Gillan

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 405, introduced by Lange, referred to Federal Relations, Energy, and Telecommunications.

HB 406, introduced by Clark, Lind, Cobb, Lewis, McNutt, referred to Appropriations.

HB 407, introduced by Vincent, Curtiss, Heinert, Stahl, Malcolm, Himmelberger, Ankney, Lange, referred to Appropriations.

HB 408, introduced by Wiseman, Pomnichowski, Erickson, Reinhart, Windy Boy, Kaufmann, Hawks, Caferro, Wilmer, Ebinger, Hollenbaugh, referred to Natural Resources.

HB 409, introduced by Sinrud, Thomas, Kottel, McChesney, Erickson, Black, Jopek, Cordier, Wilmer, Keane, Malcolm, Wilson, referred to Business and Labor.

HB 410, introduced by Augare, Juneau, Small-Eastman, Henry, Campbell, Wilmer, Cohenour, Caferro, Kottel, Driscoll, Reinhart, Ebinger, referred to Appropriations.

HB 411, introduced by Erickson, Dickenson, Franklin, Phillips, Callahan, Windy Boy, Hollenbaugh, Ebinger, Becker, Musgrove, Furey, Bergren, Hamilton, French, McAlpin, Kaufmann, Lind, Augare, Hands, Raser, Caferro,

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referred to Federal Relations, Energy, and Telecommunications.

HB 412, introduced by Ebinger, Moss, Augare (by request of the House Agriculture Standing Committee), referred to Business and Labor.

HB 413, introduced by Milburn, referred to Transportation.

HB 414, introduced by Reinhart, Sonju, Ward, Koopman, Becker, K. Peterson, Jore, Caferro, Bixby, Bergren, McAlpin, Kottel, referred to Human Services.

HB 415, introduced by Reinhart, Villa, Raser, Ebinger, Callahan, Hamilton, Phillips, Erickson, Cohenour, Sands, McAlpin, Wilmer, referred to Local Government.

HB 416, introduced by MacLaren, Sesso, Reinhart, referred to Appropriations.

HB 417, introduced by Hollenbaugh, Ward, referred to Education.

HB 418, introduced by Koopman, Campbell, referred to Appropriations.

HB 419, introduced by Koopman, Gebhardt, Olson, referred to Transportation.

HB 420, introduced by Koopman, Kottel, Campbell, referred to Judiciary.

HB 421, introduced by Koopman, referred to Transportation.

HB 422, introduced by Cohenour, Hilbert, referred to Judiciary.

HB 423, introduced by K. Peterson, Lange, referred to Judiciary.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 17, introduced by Cohenour, Jopek, L. Jones, referred to Agriculture.

HJR 18, introduced by Cohenour, Henry, Villa, Becker, French, Franklin, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGillvray in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 38 - Representative McChesney moved **HB 38** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Hendrick, Ward, Wells.

Total 3

Excused: None.

Total 0

Absent or not voting: McGillvray.

Total 1

HB 113 - Representative McChesney moved **HB 113** do pass. Motion carried as follows:

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Ayes: Ankney, Augare, Barrett, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy.
Total 68

Noes: Arntzen, Becker, Bergren, Blasdel, Butcher, Clark, Erickson, Everett, Hawk, Heinert, Hendrick, Ingraham, Jore, Kasten, Koopman, Lake, MacLaren, McGillvray, Mendenhall, Musgrove, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Wiseman, Witte, Mr. Speaker.
Total 31

Excused: None.
Total 0

Absent or not voting: Beck.
Total 1

HB 121 - Representative McChesney moved **HB 121** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Barrett, Everett, Hawk, Hilbert, Kasten, Kerns, Lange, MacLaren, Mendenhall, Milburn, Nooney, Ripley, Sonju, Stoker, Taylor, Vincent.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 105 - Representative Windy Boy moved **HB 105** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 80

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Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Jore, Kasten, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Wells.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 226 - Representative Cohenour moved **HB 226** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 241 - Representative Stahl moved **HB 241** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Jayne, Jore, Kasten, Koopman, Witte.

Total 5

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

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HB 215 - Representative Gallik moved **HB 215**, be amended. Motion failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 54

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 215 - Representative Kerns moved **HB 215** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 61

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jopek, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wiseman.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGillvray moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 76 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Butcher, Jayne, Peterson.

Total 3

Excused: None.

Total 0

Absent or not voting: Blasdel.

Total 1

HB 86 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Barrett.

Total 1

Excused: None.

Total 0

Absent or not voting: Blasdel.

Total 1

HB 124 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 88

Noes: Beck, Everett, Jore, Kasten, Lange, Mendenhall, Ripley, Sinrud, Sonju, Vincent, Witte, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 128 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Franklin.

Total 1

HB 177 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 206 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Campbell.

Total 1

HB 242 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved **HB 113** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 105** be rereferred to the Committee on Appropriations. There being no objections,

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so ordered.

SPECIAL ORDERS OF THE DAY

HB 418, introduced by Koopman, the following sponsors were added:

Reps Arntzen, Augare, Becker, Blasdel, Boggio, Butcher, Campbell, Groesbeck, Hamilton, Hendrick, L. Jones, W. Jones, Kerns, Kottel, Lake, Lambert, MacLaren, McAlpin, McGillvray, Parker, Phillips, Rice, Sonju, Ward, Wells, Windy Boy, Witte.

HB 420, introduced by Koopman, the following sponsors were added:

Reps Arntzen, Augare, Blasdel, Butcher, Hamilton, Hendrick, L. Jones, W. Jones, Jore, Kerns, Kottel, Lambert, McGillvray, Rice, Sonju, Ward, Wells.

HB 421, introduced by Koopman, the following sponsors were added:

Reps Arntzen, Augare, Becker, Blasdel, Boggio, Butcher, Campbell, Glaser, Groesbeck, Hamilton, W. Jones, Jore, Kerns, Kottel, Lambert, McGillvray, Phillips, Rice, Sonju, Wells.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, January 23, 2007. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTEENTH LEGISLATIVE DAY**

Helena, Montana
January 23, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jayne. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 1/22/2007
Correctly engrossed: **HB 82**.
Correctly printed: **HB 84, HB 254**.
Correctly engrossed: **HJR 1**.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 1/23/2007
HB 24, do pass. Report adopted.
HB 244, do pass. Report adopted.
HJR 4, be adopted. Report adopted.

NATURAL RESOURCES (McNutt, Chairman): 1/22/2007
HB 37, introduced bill, be amended as follows:

1. Page 2, line 22.

Insert: "(8) "Weed management" or "control" has the meaning provided in 7-22-2101."

2. Page 2, line 23.

Following: "noncompliance."

Insert: "(1)"

3. Page 2, line 25.

Following: "7-22-2116"

Strike: "or that a"

Insert: ", the lease, the license, or the permit, the department shall contact the lessee, licensee, or permittee and require that a weed management and control program be implemented. The lessee, licensee, or permittee may request that an inspection of the state land be made with department staff. The department shall seek voluntary compliance with a noxious weed management and control program for the state lands prior to issuing a notice of noncompliance. If the"

4. Page 2, line 25.

Strike: "has failed"

Insert: "fails"

5. Page 2, line 28.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

6. Page 3, line 3.

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Strike: "10"

Insert: "15"

7. Page 3, line 4.

Strike: "and"

8. Page 3, line 5.

Strike: "10"

Insert: "15"

9. Page 3, line 6.

Following: "]"

Strike: "."

Insert: "; and"

10. Page 3, line 7.

Insert: "(f) the right of the person to request an extension if the measures in subsection (1)(c) cannot be implemented due to climatic or growing conditions.

(2) At least 2 weeks prior to sending a notice of noncompliance, the department shall send by certified mail to the lessee, licensee, or permittee a final notice that the weed management and control program has not been implemented."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

1/22/2007

HB 20, do pass. Report adopted.

HB 144, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

1/23/2007

HB 173, introduced bill, be amended as follows:

1. Page 5, line 11.

Following: "applied"

Insert: "within 30 days"

And, as amended, do pass. Report adopted.

HB 348, introduced bill, be amended as follows:

1. Page 1, line 29.

Strike: "\$10"

Insert: "\$11"

2. Page 2, line 1.

Strike: "\$5.50"

Insert: "\$2.50"

3. Page 2, line 3.

Strike: "50 cents"

Insert: "\$1"

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4. Page 2, line 5.

Strike: "\$8.50"

Insert: "\$10"

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 1/23/2007
HB 33, introduced bill, be amended as follows:

1. Page 4, line 11 through line 12.

Following: "fund" on line 11

Strike: ", and" on line 11 through "part"

Insert: "to be allocated to the department for the implementation of this part. Any remaining funds at the end of the fiscal year must be transferred to, and divided equally between, the two accounts provided for in subsection (1)"

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 1/23/2007
HB 114, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "THE"

Insert: "ELECTRICAL"

2. Title, page 1, line 6.

Strike: "TRANSPORTATION OF ENERGY RESOURCES"

Insert: "OIL AND GAS PIPELINES"

Strike: "ENERGY"

Insert: "ELECTRICAL"

3. Title, page 1, line 7.

Strike: "TRANSPORTATION"

Insert: "PIPELINE"

4. Page 1, line 15.

Strike: "Energy"

Insert: "Electrical"

5. Page 1, line 16.

Strike: "Transportation"

Insert: "Pipeline"

6. Page 1, line 23.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

7. Page 1, line 25.

Following: "removal of"

Insert: "electrical"

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8. Page 1, line 26.

Strike: "transportation impediments"

Insert: "pipeline constraints"

9. Page 1, line 30.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

10. Page 2, line 1 through line 2.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

11. Page 2, line 7.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

12. Page 2, line 9.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

13. Page 2, line 12.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

14. Page 2, line 13.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

15. Page 2, line 14.

Strike: "seven-member"

Insert: "five-member"

16. Page 2, line 17.

Strike: "energy"

Insert: "electrical"

Strike: "transportation, and"

Insert: "distribution, and"

Following: "generation components"

Insert: "and pipeline components"

17. Page 2, line 18.

Strike: "two"

Insert: "one"

Strike: "seven"

Insert: "five"

Strike: "represent"

Insert: "represents"

Strike: "their"

Insert: "the member's"

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18. Page 2, line 23.

Strike: "transmission and transportation"

Insert: "pipeline"

19. Page 2, line 25.

Strike: "energy"

20. Page 2, line 30.

Strike: "two"

Insert: "one"

21. Page 3, line 1.

Strike: "2-year terms"

Insert: "a 2-year term"

Strike: "three"

Insert: "two"

22. Page 3, line 13.

Following: "powers."

Insert: "(1)"

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

23. Page 3, line 15.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

24. Page 3, line 23 through line 24.

Strike: "the transmission and transportation of energy resources"

Insert: "electrical transmission and oil and gas pipelines"

25. Page 3, line 28.

Strike: "energy resource transmission and transportation"

Insert: "electrical transmission and pipeline"

26. Page 4.

Following: line 1

Insert: "(2) The authority may not exercise the power of eminent domain under Title 70, chapter 30."

27. Page 4, line 8 through line 9.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

28. Page 4, line 25 through line 26.

Strike: "energy transmission and transportation"

Insert: "electrical transmission and pipeline"

And, as amended, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/22/2007

SB 83, introduced by Schmidt

SB 85, introduced by Schmidt

SB 104, introduced by Squires

SB 139, introduced by Harrington

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 424, introduced by Barrett, referred to Fish, Wildlife and Parks.

HB 425, introduced by Sesso, Sonju, Laible, Gallus, Jopek, Gillan, referred to Local Government.

HB 426, introduced by Ross, referred to Local Government.

HB 427, introduced by Bergren, referred to Federal Relations, Energy, and Telecommunications.

HB 428, introduced by Gallik, referred to Transportation.

HB 429, introduced by Sesso, Franklin, referred to Appropriations.

HB 430, introduced by Musgrove, Erickson, Hands, Cohenour, McAlpin, referred to Business and Labor.

HB 431, introduced by Blasdel, referred to Agriculture.

HB 432, introduced by Wiseman, referred to Agriculture.

HB 433, introduced by Wiseman, referred to Local Government.

HB 434, introduced by Wiseman, Williams, Kitzenberg, Larson, referred to Federal Relations, Energy, and Telecommunications.

HB 435, introduced by Parker, Everett, Stoker, Raser, McAlpin, Callahan, Cordier, Thomas, Rice, Hendrick, Kottel, Pomnichowski, Wilson, Sesso, Henry, Driscoll, Phillips, Erickson, Becker, Hollenbaugh, Sands, Furey, Ebinger, Wilmer, Cohenour, Villa, Hands, Keane, O'Hara, Hamilton, Wiseman, Noonan, Campbell, Ward, Reinhart, French, Augare, referred to Judiciary.

HB 436, introduced by Gallik, referred to Business and Labor.

HB 437, introduced by Gallik, referred to Judiciary.

HB 438, introduced by Gallik, referred to Appropriations.

HB 439, introduced by Koopman, referred to Fish, Wildlife and Parks.

HB 440, introduced by Barrett, referred to Fish, Wildlife and Parks.

Democratic Caucus Leader Villa, announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease. The House reconvened at 1:25 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lake in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 28 - Representative Hilbert moved **HB 28** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner,

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Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 92

Noes: Ankney, Campbell, Jayne, Jopek, Small-Eastman, Vincent, Windy Boy, Wiseman.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 81 - Representative Hamilton moved **HB 81** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Koopman, McGillvray, Mendenhall, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Excused: None.

Total 0

Absent or not voting: Lake.

Total 1

HB 98 - Representative Franklin moved **HB 98** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Beck, Everett, Hawk, Kerns, Rice, Stoker.

Total 6

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 102 - Representative Jacobson moved **HB 102** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Blasdel, Boggio, Everett, Jopek, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Wells, Witte, Mr. Speaker.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 115 - Representative Cohenour moved **HB 115** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Barrett, Butcher, Ingraham, Kasten, Rice, Ripley, Ross.
Total 7

Excused: None.
Total 0

Absent or not voting: W. Jones.
Total 1

HB 129 - Representative Gallik moved **HB 129** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan,

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Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Everett, Hawk, Jore, Kasten, Koopman, Sinrud, Wells, Witte, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

HB 153 - Representative Jacobson moved **HB 153** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Everett, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: Erickson, Olson.

Total 2

HJR 7 - Representative Ward moved **HJR 7** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Butcher, Dutton, Hendrick, Jore, Kasten, Keane, Koopman, Malcolm, Mendenhall, Milburn, Morgan,

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Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 9 - Representative K. Peterson moved **HJR 9** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Dickenson, Driscoll, Everett, Groesbeck, Jayne, Kasten, Sesso, Sonju, Windy Boy.
Total 9

Excused: None.
Total 0

Absent or not voting: Blasdel, Butcher.
Total 2

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lake moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Jayne, Wells.
Total 2

Excused: None.
Total 0

Absent or not voting: Butcher, Lake, Sinrud.

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Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 38 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Beck, Everett, Hendrick, L. Jones, Ward, Wells.

Total 6

Excused: None.

Total 0

Absent or not voting: Butcher, Sinrud.

Total 2

HB 121 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

Noes: Everett, Hawk, Kasten, Kerns, Lange, Mendenhall, Nooney, Ripley, Sonju, Taylor, Vincent.

Total 11

Excused: None.

Total 0

Absent or not voting: Butcher, Sinrud.

Total 2

HB 215 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Clark, Cohenour, Cordier, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 79

Noes: Becker, Caferro, Callahan, Campbell, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Hands, Hollenbaugh, McAlpin, Musgrove, Pomnichowski, Raser, Van Dyk, Wilmer, Wilson.

Total 19

Excused: None.

Total 0

Absent or not voting: Butcher, Sinrud.

Total 2

HB 226 passed as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Hendrick, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, McNutt, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 36

Excused: None.

Total 0

Absent or not voting: Butcher, Sinrud.

Total 2

HB 241 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 91

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Noes: Gallik, Jayne, Jore, Kasten, Koopman, Rice, Witte.
Total 7

Excused: None.
Total 0

Absent or not voting: Butcher, Sinrud.
Total 2

MOTIONS

Majority Leader Lange moved **HB 98** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 434, introduced by Wiseman, the following sponsors were added:
Reps Becker, Bergren, Bixby, Branae, Caferro, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Grinde, Groesbeck, Hiner, Hollenbaugh, Jacobson, Jopek, McAlpin, Musgrove, Noonan, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Wilmer.

HB 347, introduced by Boggio, the following sponsors were deleted:
Reps Noonan, Sesso.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, January 24, 2007. Motion carried.

House adjourned at 2:43 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTEENTH LEGISLATIVE DAY**

Helena, Montana
January 24, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Sinrud and Representative Campbell who were excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 1/23/2007
Correctly printed: **HB 20, HB 24, HB 144, HB 244.**
Correctly printed: **HJR 4.**

BUSINESS AND LABOR (Mendenhall, Chairman): 1/18/2007
HB 156, be adopted. Report adopted.

NATURAL RESOURCES (McNutt, Chairman): 1/23/2007
HB 61, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: " ; "

Insert: "ESTABLISHING A FORMULA FOR DETERMINING ASSESSMENTS FOR FIRE PROTECTION; "

2. Page 1, line 17.

Following: "landowner"

Insert: "of not more than \$45 for each landowner in the protection district and of not more than an additional 25 cents per acre per year for each acre in excess of 20 acres owned by each landowner in each protection district as necessary to yield "

3. Page 1, line 19.

Strike: "equal to"

Following: "~~money~~"

Insert: "of money"

4. Page 1, line 20 and line 21.

Following: "part 1 and this part"

Strike: "to the department of revenue"

5. Page 1, line 21.

Following: "revenue."

Insert: "The charges established pursuant to this section must be billed to the owner pursuant to 76-13-207. "

6. Page 1, line 30 through page 2, line 1.

Strike: "an" on line 30 through "to" on line 1

Insert: "no greater than"

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7. Page 2, following line 9.

Insert: "NEW SECTION. Section 3. Formula to set landowner assessments for fire protection. (1) The department shall, pursuant to 76-13-207, set the annual fire assessment fee due from landowners pursuant to Title 76, chapter 13, parts 1 and 2. The total of all statewide landowner assessments may be no greater than one-third of the amount appropriated by the legislature to fund the protection costs.

(2) The individual assessments must be established using the following criteria:

(a) Each person or corporation who is responsible for fire protection pursuant to 76-13-108 and 76-13-201 and for whom the department provides fire protection must be assessed a per capita landowner fee. The total per capita landowner assessments statewide from persons or corporations who own 20 acres or less of land for which the department provides protection must be as close as administratively possible to 60% of the total private landowner assessments.

(b) A person or corporation who owns more than 20 acres of land for which the department provides protection shall, in addition to the fee assessed pursuant to subsection (2)(a), pay a per-acre fee for each whole acre that the person owns in excess of 20 acres. The total of all assessments statewide from persons or corporations who own more than 20 acres must be as close as administratively possible to 40% of the total private landowner assessments.

(3)(a) Except as provided in subsection (3)(b), the per capita and per-acre fees must remain in effect for subsequent years.

(b) The department shall reset the per capita and per-acre fees whenever it is necessary to obtain up to one-third of the amount appropriated by the legislature.

(c) Whenever the department resets the fees pursuant to subsection (3)(b) of this section, it shall do so in accordance with 76-13-201(2) and the fees must remain in effect until the condition in subsection (2)(a) of this section is met."

Insert: "NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 76, chapter 13, part 2, and the provisions of Title 76, chapter 13, part 2, apply to [section 3]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

1/24/2007

HB 75, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "LAW;"

Insert: "PROVIDING FOR A REMITTANCE AND DISTRIBUTION OF TAXES ON BENTONITE PRODUCTION OCCURRING BEFORE JANUARY 1, 2007;"

2. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

3. Page 4.

Following: line 30

Insert: "NEW SECTION. Section 3. Transition remittance. The department of revenue is authorized to remit a county's share of taxes collected on the production of bentonite occurring after June 30, 2006, and before January 1, 2007. The department shall remit the taxes for that period as if the statutory appropriation under 17-7-502 were in effect for that period. The distribution of taxes for that period must be made under 15-39-110, as that section read on December 31, 2006."

Renumber: subsequent section

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4. Page 5.

Following: line 2

Insert: "NEW SECTION. **Section 5. Retroactive applicability.** [Section 3] applies retroactively, within the meaning of 1-2-109, to bentonite produced after June 30, 2006, and before January 1, 2007."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/24/2007

HB 132, do pass. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

1/24/2007

HB 49, introduced bill, be amended as follows:

1. Page 2, line 15.

Strike: "and"

2. Page 2, line 16.

Strike: "."

Insert: "; and

(viii) one regional airport or port authority member."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/23/2007

SB 77, introduced by Laible

SB 92, introduced by Steinbeisser

SB 123, introduced by Williams

SB 141, introduced by Laslovich

SB 169, introduced by Laslovich

SB 203, introduced by Balyeat

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 441, introduced by Lambert, referred to Transportation.

HB 442, introduced by Phillips, Sinrud, K. Peterson, Jore, Koopman, Reinhart, Wiseman, referred to State Administration.

HB 443, introduced by Taylor, Sonju, Everett, Beck, Curtiss, Lewis, Blasdel, Jackson, Barkus, Weinberg, Brueggeman, Cordier, referred to Appropriations.

HB 444, introduced by Taylor, Sonju, Everett, Beck, Lewis, Blasdel, Jackson, Barkus, Lind, Brueggeman, Cordier, Weinberg, referred to Appropriations.

HB 445, introduced by Taylor, referred to Human Services.

HB 446, introduced by Villa, referred to Appropriations.

HB 447, introduced by Villa, referred to Appropriations.

HB 448, introduced by Kottel, referred to Federal Relations, Energy, and Telecommunications.

HB 449, introduced by Pomnichowski, Wilmer, Hamilton, Franklin, Ebinger, referred to Judiciary.

HB 450, introduced by Pomnichowski, Wilmer, French, Hamilton, Cohenour, Ebinger, referred to Fish, Wildlife and Parks.

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HB 451, introduced by French, Kitzenberg, Augare, Stahl, referred to Appropriations.

HB 452, introduced by Kottel, referred to Judiciary.

The following House resolutions were introduced, read first time, and referred to committees:

HR 4, introduced by Lambert, referred to State Administration.

HJR 19, introduced by Morgan, referred to Human Services.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 28 passed as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte.

Total 90

Noes: Caferro, Campbell, Jayne, Jopek.

Total 4

Voted Absentee: Sinrud, Aye; Campbell, No.

Excused: None.

Total 0

Absent or not voting: Arntzen, Becker, Raser, Wells, Wiseman, Mr. Speaker.

Total 6

HB 81 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Mr. Speaker.

Total 82

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Koopman, McGillvray, Mendenhall, Sinrud, Sonju, Taylor, Wells, Witte.

Total 16

Voted Absentee: Campbell, Aye; Sinrud, No.

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Excused: None.
Total 0

Absent or not voting: Raser, Wiseman.
Total 2

HB 102 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Mr. Speaker.
Total 79

Noes: Barrett, Blasdel, Everett, Franklin, Hendrick, Himmelberger, Jopek, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Wells, Witte.
Total 18

Voted Absentee: Campbell, Aye; Sinrud, No.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser, Wiseman.
Total 3

HB 115 passed as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 88

Noes: Ankney, Barrett, Boggio, Butcher, Everett, Himmelberger, Ingraham, Kasten, Lake, Rice, Ripley, Ross.
Total 12

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 129 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Beck, Boggio, Everett, Hawk, Jore, Kasten, Koopman, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Campbell, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: Raser.

Total 1

HB 153 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Beck, Blasdel, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Campbell, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 7 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh,

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Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Blasdel, Butcher, Dutton, Hendrick, Jore, Kasten, Keane, Koopman, Lake, Lange, Malcolm, Mendenhall, Milburn, Morgan, Ripley, Ross, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Campbell, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 9 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Beck, Bergren, Blasdel, Dickenson, Driscoll, Everett, Groesbeck, Hands, Hilbert, Jayne, Kasten, Noonan, Phillips, Sesso, Sonju, Taylor.

Total 16

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: Furey.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ripley in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 20 - Representative McNutt moved **HB 20** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: Hiner, Small-Eastman.

Total 2

HB 82 - Representative Parker moved consideration of **HB 82** be passed for the day. Motion carried.

HB 84 - Representative McAlpin moved **HB 84** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne, Morgan.

Total 2

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 144 - Representative Becker moved **HB 144** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser,

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Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Stahl, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Campbell, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: Villa.

Total 1

HB 244 - Representative Wiseman moved **HB 244** do pass. Motion carried unanimously.

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 254 - Representative Stoker moved **HB 254** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Hollenbaugh, Van Dyk.
Total 2

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 1 - Representative Keane moved consideration of **HJR 1** be passed for the day. Motion carried.

HJR 4 - Representative Cohenour moved **HJR 4** be adopted. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Hawk, Hilbert, Jore, Kasten, Kerns, Klock, Koopman, Lake, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Ross, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 29

Voted Absentee: Campbell, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Ripley moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy,

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Wiseman, Witte, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Campbell, Sinrud.
Total 2

Absent or not voting: Dutton, Hands, Jore, Koopman, Ripley, Stahl, Ward, Wilson.
Total 8

UNFINISHED BUSINESS

HB 354, introduced by Caferro, the following sponsors were added:
Senator Lewis.

ANNOUNCEMENTS

Majority Leader Lange moved that the House adjourn until 6:40 p.m. for the State of the State address.

Committee meetings were announced by the committee chairs.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark notified Mr. Speaker that the Honorable Senate of the State of Montana awaits outside the Chamber. Speaker Sales requested Sgt-at-Arms Clark to admit the Honorable Senate into the House Chamber. Speaker Sales introduced Senate President Cooney and yielded the chair to him.

Senate Majority Leader Williams moved that the body resolve itself into a joint session for the purpose of receiving the address from the Governor of the State of Montana, the Honorable Brian Schweitzer. Motion carried.

Senate Majority Leader Williams moved the President be authorized to appoint a committee of four to notify Governor Schweitzer that we are in joint session and ready to receive his address. Motion carried.

President Cooney appointed Senator Juneau, Senator Brueggeman, Representative French and Representative Lambert to escort the Governor to the Chamber.

The committee escorted Governor Schweitzer into the Chamber.

The colors were posted by members of the Montana National Guard. Students from Bryant Elementary School led the Pledge of Allegiance. Invocation was given by the Most Reverend George Leo Thomas of Helena.

Senate President Cooney introduced Governor Schweitzer to the joint session and the Governor gave the following speech:

STATE OF THE STATE ADDRESS
GOVERNOR BRIAN SCHWEITZER
JANUARY 24, 2007, 7:00 PM

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Thank you. Mr. President, Mr. Speaker, Fellow Montanans, it is an honor to address this assembly of the 60th Legislature for the State of Montana.

Yesterday Nancy and I celebrated our 25th anniversary. I've learned a lot of lessons over the years on becoming a better husband. For example, in anniversaries gone by I would look around the house to find things that maybe we could improve around the house. One year I bought a vacuum cleaner. Big mistake. This year we celebrated her birthday in November, I looked around the house to see some things that Nancy didn't have and maybe she would like to have. And I noticed that she was missing something pretty important in her life. And so I bought her a Smith and Wesson .38 with a laser sight. When she opened the gift on her birthday she was very surprised, and I've learned a lesson: I won't buy her another pistol. So this year for our 25th wedding anniversary once again I had to look around the house and finally I decided I should buy something very uniquely Montanan and so I bought her a palladium ring, the palladium coming from Stillwater Mining and from my home country in the Judith Basin, a Yogo sapphire. Show them your ring.

My Mom and Dad are here, my daughter Katrina. Mom, Dad, thank you for believing, thank you for pushing, thank you for instilling that fight. And my good friend, John Bohlinger, my friend, my confidante. John, two and a half years ago we took a proposition to the people of Montana, we simply said are you ready to accept a Republican and a Democrat working together in the Executive Branch? Enough people agreed with us that they gave us the opportunity. During the course of the last two years I've been to all 56 counties and I'm here to report to you that the people of Montana want Democrats and Republicans to work together. Thank you.

Two years ago, the last time we gathered in this Chamber, we honored Bette Bohlinger who was fighting the courageous fight against leukemia in a hospital in Billings. We honor Bette. She lost that battle but she'll always be in our hearts as she is here today. We love you, Bette.

We lost others during the course of the last two years. Frank Morrison, Governor Tom Judge and Senator Pat Goodover, the Republican Senator from Great Falls who without his action we would still not be able to turn right on red. And during the last two years we've lost more than a dozen courageous Montana heroes in Iraq. Let's take a moment to remember them all.

Ten score and two years ago the first European American expedition came to Montana, and when Lewis and Clark entered Montana they began to describe this wondrous place, the wide rivers, the endless prairies, the beautiful mountains. They described the wildlife, the fisheries and they described the first Montanans that they encountered, the Crows, the Assiniboine, the Blackfeet and the Salish. They found that the first Montanans, these people of the Great Plains who had lived sustainably on this land for nearly 10,000 years had a notion of leadership. Their leaders, their elders had a notion about protecting the future generations. Every decision made by elders considers the consequences on the seventh generation.

As we consider the options that we have before us, let us not forget the future generations and the generations that will follow them. The first European settlers who came to this place we now call Montana, the miners, the loggers and the homesteaders like my four grandparents, they came to this place with really nothing more than the clothes on their back, high hopes and faith in God. And they considered the future generations. My grandparents and your grandparents who came to this place, they never believed that they individually would ever serve in a Chamber like this, they never believed that they would be the leaders of this state, the bankers, the leaders of Congress. They wanted the next generation to have those opportunities. They fought for the next generation and the generation that followed. They believed in a sustainable Montana as well. Let us remember we will be held responsible by the generations that follow us but we will be accountable to those who preceded us.

It was Teddy Roosevelt who in my opinion was the greatest President in the history of this country and, yes, he was a Republican. Teddy Roosevelt said, "We must treat each man on his worth and the merits as a man. We must see that each is given a square deal." Teddy Roosevelt was correct a hundred years ago and it's Teddy Roosevelt's ideals that have built what we call the Montana Square Deal.

The last time we gathered together I proclaimed to you Montana is open for business. And, boy, are we open for business. During the last 24 months we've created more than 24,000 jobs, more than 1,000 jobs per month. Our unemployment is the lowest in history, 2.8 %. There are more people working in Montana today than any time in the history of Montana. And for the first time in the history of Montana the wages in Montana are increasing at a faster rate than the average of the rest of the country. In fact, only two other states have wages increasing faster than Montana.

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Montana is open for business and on the move.

I've been on the move too. I've been to all 56 counties, been to the court houses and I've been outside of Montana. I've made some business trips outside of Montana. I went to Alberta a couple of times, met with some folks up there, and we attracted a company called Avmax to come to Great Falls. This company is in the business of repairing aircraft. They brought 98 jobs to Great Falls. We met with a transmission company who recently announced that they want to build a \$2 billion transmission line in Montana, called the Northern Lights Project. And another transmission company has announced that they would like to build a \$150 million transmission line from Lethbridge to Great Falls totally dedicated to clean green wind power.

I made a couple trips out to Seattle, met with some folks that used to be living in Montana, the Robbins family which were a great family from Butte, had started a wonderful business in Seattle, a foundry where they are employing hundreds of people. We talked to them about the opportunities of coming back to Butte and we provided to them the tools that they needed to be successful and now the Robbins family is back in Butte and employing 40 people. Welcome home.

I made a couple of trips to Denver and with the help of Senator Max Baucus we were able to land Direct TV and 700 new jobs in Missoula. We've been paying attention to Montana, we know collectively that Montana is on the move, we know that we're in a good economic place right now. But I'm here to tell you that Wall Street has also been paying attention. In fact, last week Budget Director Ewer and myself were on a conference call with Moody Investor Services and we told them about the position that we were in Montana and we described to them our budget and the amount of savings that we have included in this budget. And two days ago I read in a financial newspaper that Moody's has upgraded Montana's bond rating for the first time in 26 years.

The most reported news in Montana during the last three months is that Montana has a \$1 billion surplus. All of you legislators know where the \$1 billion are, but for the folks back home you need to understand that we don't actually have the billion dollars yet. This is a prediction, this is a projection that if the wheat crop comes in for the next couple of years and the price of cattle remains high, if the rain comes on time, if the price of platinum and palladium and copper and gold stay high, if the stock market continues to grow, if the oil and gas prices stay high and Montana continues to develop our natural resources, at the end of two and a half years we may indeed have \$988 million more than we had in the last biennium.

So a Montana family, a Montana working family if their boss came to them and they said, you know, I think we're going to grow this business and if we grow it at the rate that I think we will, at the end of a two-year period I'll give you a \$1,000 bonus. Now how many families in Montana would rush home and say let's blow it, let's spend it? Some would. Some would put a down payment on a snowmobile, some would buy a pickup, others would buy a pistol for their wife. But still other families would say, no, we better save some of that money. Other families would say, how about if we put some in health care, we'll help our children with education, we'll put some money away for a college fund and we'll make our home a little more secure. Still others would say, we have some maintenance that we must do on our home, we have a leak in the roof above the garage and the city's been after us on that concrete out in front of our house for years, we'll do those long-term maintenance projects. That's what most families would do in Montana, and we have proposed a budget that's exactly like those families and small businesses would do across Montana.

For every dollar spent, a dollar saved. We're proposing to spend roughly \$400 million in ongoing projects. Roughly \$400 million in tax cuts and savings accounts and roughly \$200 million in long term construction projects. Let's talk about what those plans are. The \$400 million that we're spending ongoing, we're spending it for things that the state of Montana and most states spend their money on: education, medication and incarceration. Let's talk about education first. We're putting more money in K12, we're putting more money in higher education, in fact we've proposed to the Board of Regents that if we put \$50 million new money in higher education, they have agreed – we have a gentleman's handshake – that they will not increase tuition for the next two years, and that would be the first two years in 20 years that tuition is not increased. We'll put more money in K12 so we can attract teachers and keep them. In fact, we have proposed that when a young teacher graduates from college in Montana and is thousands of dollars in debt, if they will agree to teach in some of our rural schools across Montana, we will forgive a portion of their debt every year that they teach in Montana for up to four years and so that young teacher who has a \$20,000 debt and agrees to teach with Carol Lambert in Broadus, we will forgive \$3,000 of that debt for four consecutive years and Broadus will have a bright new young teacher.

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We've asked you to put more money in the Best and Brightest Scholarship Program so that middle class families like the one that I came from whose parents didn't even graduate from high school but had a dream of sending the next generation to college, let's help these kids with scholarships. We've called it the Best and Brightest Scholarship Program and we believe that we can put more money out there so more kids will graduate from Montana colleges and universities.

And Linda McCulloch has been after me for years for full-time kindergarten. For the last seven years, Linda's been telling me the benefits of full-time kindergarten. I tell you when I ran for governor I didn't say to the people of Montana I have an idea, full-time kindergartens. Actually I said to the people of Montana we need to train Montana's work force for the jobs that we're creating tomorrow in Montana. I knew that we needed to invest in higher education, in particular our two-year programs. I knew that we needed to invest in K12, but Linda continued to say, Brian, the best investment is full-time kindergarten.

Well, I've learned a little bit over the course of the last couple of years, Linda. I was at a Western Governors Association conference and we had three specialists who are renowned around the world. They are all published authors, people who had studied the education systems in Finland, Singapore and Germany and compared them to the states in the United States. They told us what we were doing right, they told us what we were doing wrong. And when they completed their discussion, one of them being an expert in K12, one of them was an expert in two-year colleges and one of them was an expert in universities, I had a question. I said to them, I'm going to make each of you governor of Montana for a day and I'm only going to give you one additional dollar for education. Where would you spend it? You're the experts.

So first the K12 expert considered it for a moment and she said if I only had one additional dollar I would put it in early education. Well, that's interesting. How about you, I said to the expert in two-year colleges, where would you put one extra dollar if you were governor for a day? He considered it and said if I only had one extra dollar I'd put it in full-time kindergarten. It surprised me. So I turned to the university specialist and I said where would you put the extra buck? And that person too said I would put it in early education.

And then later at a conference that we held here in Montana, sponsored by the National Governor's Association and Montana businesses – it was a conference on early education – a fellow by the name of Art Rolnick, an economist with the Federal Reserve in Minneapolis, spoke to us and he had studied education for some period of time. Mr. Rolnick said to us that there was a study conducted about 25 years ago, talked about a lot of studies but he focused on a special study. This one looked at families. One sibling was given the opportunity of full-time kindergarten, another did not. And then they followed the progress of these children and they found that the one who had full-time kindergarten was, imagine this, more successful in the first grade but also more successful in eighth grade, more likely to graduate from high school, less likely to be involved in correction systems, more likely to graduate from university, and at the end of 25 years had a higher salary than the ones who didn't have full-time kindergarten. Art Rolnick said to us that he's applied some economic measures and he says the investment that you make today in early education pays up to a 16 % dividend until that child goes to the work force. That's the best education that we can provide in Montana. Thank you, Linda McCulloch, for being a great leader.

Montana's population put in corrections is increasing at a faster rate than almost any other state. We have one of the highest percentages of our population involved in the corrections system. 93% of the people in our correction system today are there in part because of drug and alcohol addiction and more than 50% of a mental illness. And yet our correction system continues to warehouse people. We have sentencing in the hinterland, we send them to Deer Lodge or Billings. They spend their time, they go home, they commit another crime and they end up back in the correction system and we have not treated the underlying cause, the drug or alcohol addiction, the mental illness. So we are challenging our corrections and health and human services to work together so that we are actually treating the root cause of these offenders because if we can treat the root cause, the mental illness, the drug or alcohol addiction, we will have more people in our communities more productive and fewer of these people in our correction system that has become a bloated part of our budget.

Thank you, John Morrison, for helping us when we started the Insure Montana Program. We have a proposal during this legislative session to put enough money so that we can add a thousand more employees in small businesses to the Insure Montana Program and more families in Montana will be insured. We need to increase our home based services and our community based services so that we can provide these Medicaid dollars closer to home so that people

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that we're treating we can treat with more dignity in their own community, in their own home and it's more efficient.

I thank Senator Dan Weinberg for proposing Senate Bill 22 to increase the child health insurance program of a compensation level from 150% of the federal poverty rate to 175%. That will increase by 3,000 children that we can insure in Montana. Thank you, Senator Weinberg.

There it is. You've heard pretty much how we're proposing to spend the \$400 million. Now let's talk about how we're going to save and how we'll have tax cuts of 400 million. Let start with tax cuts. We're proposing to send a \$400 check to 250,000 homeowners in Montana. Why pick homeowners first? Because as you know during the last 15 years as other classes of property taxes have been reduced, it's forced local school districts to raise their mill levies and so homeowners have had their tax bills go up as much as 50% to 75%. It is time for Montana working families to get a break and that's what that is about. That's politics.

So there is somebody out there in Montana right now saying what about me, I'm a small business person, how come I'm not getting a tax break? Well, hold on to your hat, cowboy, because you are. We're proposing other tax breaks. We're proposing to raise the level of the business equipment tax exemption from \$20,000 to \$150,000. Think about this, if you're a farmer or a rancher like me or a plumbing contractor, electrical contractor, concrete contractor and during the last 10 years you bought let's say six, seven hundred thousand dollars worth of business equipment, you've depreciated that equipment and now the value of that equipment is \$149,999. We're proposing to eliminate your business equipment tax and save you \$4,500. Pretty good for the small businessman in Montana.

But we're not done. As you know, we've proposed to suspend the water tax, the same business person may well have a spring and two wells paying 20 bucks on each one, 20 times three is 60 bucks. And they also own a home, so let's add it up. This small businessman in Montana gets \$4,500 plus \$400 for the home plus 60 bucks for water, the whole tax cut comes to 4960 bucks. That's real tax relief for real small businessmen in Montana.

So let's get talking about the savings, the best part of our budget. We are proposing an ending fund balance of \$100 million, effectively moving \$100 million from Montana's checking account to Montana's savings account. And thanks to the efforts of Senator Rick Laible we're proposing the Big Sky Savings Account and for the first time in Montana's history not only will we have a savings account but we've got \$80 million bucks to put in it. Thank you, Senator Laible.

There is more. So we told you that we're going to move \$100 million from our checking account to our savings account. We told you that we're going to have a money market account and it's the Big Sky Savings Account. Well, there is another one you can call the 30-year bond. As you recall in 1991, in 2001 we changed the compensation level that state employees receive on their pension plan. And when I arrived on this job, I was told by the economist we had about a \$1 billion plus fiscal imbalance in our pension plan. So in the last legislative session, thank you very much, you put \$125 million toward paying down this problem. This time we're proposing another \$100 million and we're proposing a big change for any new state employee. This doesn't affect a single employee who is currently working for the state of Montana. Only new employees will be paying in at a higher rate so that they, when they retire, won't have a fiscal imbalance in the pension plan. This alone adds a \$400 million stability to our pension plan, we've created a balance of \$625 million towards a billion dollar deficit in just two years. I guess in the next 20 years we'll do more.

And as you legislators know, when you go door to door and you're running for office and running for reelection, whether you're in Butte or Billings or Bozeman or even Great Falls, as you're visiting with the folks they say, you know, we really ought to have an addition at the College of Technology, we really ought to have a bridge across this river, we really ought to have a new roof on the civic center that we have here in our town. So dutifully, you're the elected person, you come down to this body and you say we really need to have this project in our town. But then you find out we really don't have the money to pay for it, so we've had long-term building funds. It's called bonding. Now bonding simply means that we borrow money from somebody in the future to pay for our priorities today, right? But in our budgets we have no bonding, we borrow no money, we pay as we go. This is the most conservative and fiscally responsible budget in the history of the state.

The things we're going to pay for with cash, we're going to create a super computer system that will be one of the largest in America at Montana Tech. We're going to invest \$26 million in the chemistry building in Gaines Hall in Montana State University. We're going to put money in to the crime lab and we have deferred maintenance all across this state, we have over \$130 million that we will pay cash for that previous legislatures have bonded. That's a fiscally responsible thing to do.

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We need a little help from you. Dan Bucks who is my Revenue Director has been on a mission because I told him to go on one. I said to him, Dan, I want you to close loopholes. I want you to find ways that Montana can raise money without raising taxes. And he's been looking around at Montana's tax code and he's found some loopholes that people who are not residents of Montana are using. They are making money in Montana but not paying taxes in Montana. They are competing with Montana businesses by not paying taxes when Montana businesses do pay taxes. We have given them a competitive advantage over Montana businesses, and Dan Bucks has proposed some rule changes to this legislature that will raise \$60 million from non-Montanans who are making money in Montana. I want you to help Dan Bucks collect that \$60 million.

Last night many of us watched the State of the Union address. We heard President Bush tell us about our circumstance and our addiction to foreign oil. He had some solutions that had to do with creating more energy and conservation measures here in the United States. But it was President Jimmy Carter 28 years ago who said, "Energy will be the immediate test of our ability to unite this nation and the standard of which we rally. On the battlefield of energy we can win for our nation and seize control again our common destiny." He said those words when we only imported 42% of our oil, and today we import 65% of our oil from people all over the world. During the last two years in Montana we have completed and announced an amazing array of energy programs. The Centennial Electric plant in Butte, the coal-fired electric plants, the Judith Gap Wind Farm, the Great Falls Wind Farm and Conoco Phillips has announced they're going to spend \$400 million to update their refinery in Billings. The Northern Light Transmission Line, the Alberta Tie transmission line and Peabody Coal, the largest coal company in America, has announced that they would like to build a coal liquefaction plant for \$1 billion. And Arch Coal Company, the second largest coal company in America, has announced that they will be part of a consortium that builds a \$1 billion coal gasification and liquefaction plant in Senator Gebhardt and Representative Olson's home town of Roundup. Every one of these projects are larger than the collective energy development in the previous 20 years in Montana. Montana, we're on the move.

Montana can and we will lead in clean and green energy for this entire country with our wind power, our biofuels, our solar potential. And in Montana we're developing oil, we're one of only two states that increased our oil production during the last year and we'll increase it again next year. We're increasing our gas production. It was California who changed their law, who said that they will no longer buy electricity, they will no longer buy electricity from anyone who increases the amount of carbon dioxide in the atmosphere. They are the 900 pound gorilla in the western United States for purchasing electricity. If we're going to sell in to the California market, we will have to sell using wind power and coal gasification with sequestration. California will not accept and Montana should not put carbon dioxide in our atmosphere.

Last night President Bush has joined in the climate change debate. Several months ago Richard Opper came to me and said, Brian, we ought to have a climate change advisory council. And there are two members of this body, Representative Sue Dickenson from Great Falls is a member of that advisory council and Senator Gary Perry is also part of that advisory council. Thank you for being ahead of your time.

We are proposing historic and dramatic property tax decreases for companies that build clean and green in Montana. For transmission lines, for pipelines, for pipelines carrying carbon dioxides, for coal gasification plants when they sequester the carbon dioxide, for manufacturing the biofuels and wind power, for fuel cell development using Montana Stillwater palladium and last but not least electric car manufacturing. Montana is on the move. Republican Governor Joe Dixon said our greatest national heritage is nature itself. And when combined with our national parks it becomes of unlimited value. He was joined by Mr. President's grandfather, Governor Frank Cooney, dedicating the building of the Going to the Sun Highway when he said, "There is no Highway which we'll get to see as the lover of grandeur of the Creator's handiwork, more thrills, more genuine satisfaction deep in his being than a trip over this road." Democrats, Republicans have agreed for a hundred years that the greatest treasure of the Treasure State is our wild places, our rivers, our mountains, our wildlife, our parks and our ability to access our public lands. That's something Democrats and Republicans agree on.

And working families from one corner of this state to the other access our public lands and in many cases our parks, and our places for accessing our rivers are becoming full. And at the same time the price of real estate is increasing at a very rapid rate in Montana. That's why we are proposing a \$15 million purchase of more access sites on our rivers and streams, more state parks, and this will be a legacy that you can send to the seventh generation of youth. Montana is unique in the Rocky Mountains in that the citizens of Montana have a constitutional right to access our

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streams. Senator Lane Larson, thank you for protecting our right to access our streams. And, Legislature, work together, maintain our access for future generations.

On my first full day on this job I rode a helicopter to Troy to my first military funeral. I've been to many more since, and yesterday I was at another one. I was with the families when they sent their loved ones to Iraq. I was in Ft. Lewis and Belgrade and Helena when they came home from Iraq. I was with the families when we sent our heroes to New Orleans and I visited our heroes in New Orleans. I visited our heroes in Iraq, Kuwait and Afghanistan. And I know this, that when our men and women serve overseas, there is someone who has a greater sacrifice at the end of the day, their families, their families back home. So that's why I thank Julie French who has proposed House Bill 179 that will make a one-time payment to these families when we call their loved one to active service. Thank you for remembering the families, Julie.

As you know, we will be together here for about 90 days. We've already started to move education and tax cut bills, over to the House, the House is doing some other work. Please do not delay the process, move the process along. The 90 days will come and go very quickly because the people back home will judge us by our contributions, not for the late nights, not for the early mornings, not for the speeches delivered. Do not allow the partisan among us to destroy the good intentions of the majority of Montana.

And as Matthew 12:33 reminds us, "for a tree will be known by its fruits." Members of the 60th Legislature, let our efforts bear fruit for this generation and the generations to follow.

God bless your families, God bless Montana and God bless America.

Following the State of the State address by Governor Schweitzer, President Cooney called upon the Most Reverend George Leo Thomas who gave the Benediction.

Senate Majority Leader Williams moved that the joint session of the 60th Legislature, convened to receive the address from Governor Schweitzer, be adjourned.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, January 26, 2007. Motion carried.

House adjourned at 7:51 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
SEVENTEENTH LEGISLATIVE DAY**

Helena, Montana
January 25, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Wilmer. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representatives Campbell and Representative Small-Eastman who were excused. Quorum present.

Democratic Caucus Leader Villa announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease. House reconvened at 1:25 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

Absent or not voting: W. Jones, Milburn, Olson, Taylor.

Total 4

HB 84 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 98

Noes: None.

Total 0

Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

Absent or not voting: Olson.

Total 1

HB 144 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Nooney, Rice, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 244 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

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Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 254 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Bergren, Callahan, Hollenbaugh.

Total 3

Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HJR 4 adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 27

Voted Absentee: Campbell, Aye.

Excused: Small-Eastman.

Total 1

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Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 1/24/2007
Correctly engrossed: **HB 49, HB 61, HB 75.**
Correctly printed: **HB 132, HB 156.**

JUDICIARY (Rice, Chairman): 1/24/2007
HB 53, introduced bill, be amended as follows:

1. Page 1, line 23.

Following: line 22

Insert: "(4) A certificate substantially similar to the following must be accepted as valid under this section:
Tribal Court Child Custody Certification of Presiding Tribal Court Judge

I,, Tribal Court Judge of the Tribe, do hereby certify that I presided over the matter of
.....

(Name of proceeding for order sought to be enforced)

and that the attached order is entitled to be treated as an order of a state of the United States under the Uniform Child
Custody Jurisdiction and Enforcement Act, Title 40, chapter 7, Montana Code Annotated. The determination was
made in a proceeding that meets the requirements of section 40-7-135(3), MCA.

.....
Tribal Court Judge

.....
DATE"

2. Page 1, line 26.

Following: "order"

Insert: "only"

3. Page 1, line 27.

Following: "(a)"

Insert: "at the time"

Following: the first "the"

Strike: "issuing"

Following: "court"

Insert: "issued the order, the tribal court"

Following: "personal"

Strike: "subject matter"

Following: "over the"

Strike: "contesting party"

Insert: "parties and children"

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4. Page 2, line 5.

Following: "order"

Strike: ", "

Insert: "and"

5. Page 2, line 6.

Following: "evidence"

Strike: ", and issue other appropriate orders"

6. Page 2, line 8.

Following: line 7

Insert: "(3) If the district court finds that the tribal court had personal jurisdiction over the parties and children at the time the order was issued but enforcement of the order would violate the public policy of the state, the district court shall dismiss the case contesting enforcement without prejudice. The district court may not substitute its judgment for that of the tribal court on the merits of the case."

Renumber: subsequent subsection

7. Page 2, line 9.

Following: the third "order"

Insert: "and directing appropriate enforcement of the order"

And, as amended, do pass. Report adopted.

HB 83, introduced bill, be amended as follows:

1. Page 3, line 4.

Following: "~~parole.~~"

Insert: "(8) Sections 46-23-203, 46-23-205 through 46-23-207, and 46-23-215 through 46-23-218 apply to nonmedical parole."

And, as amended, do pass. Report adopted.

HB 91, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "HEALTH"

Insert: "CERTAIN"

2. Title, line 8.

Strike: the first "AND"

Following: "41-3-432,"

Insert: "AND 41-3-445,"

3. Page 4, line 14.

Strike: "Christian Science practitioners and"

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4. Page 4, line 21.

Following: "clergy"

Insert: ", as defined in 15-6-201(2)(a)"

5. Page 4, line 25.

Strike: "health"

6. Page 15.

Following: line 27

Insert: "'Section 8. Section 41-3-445, MCA, is amended to read:

"41-3-445. Permanency hearing. (1) (a) (i) Subject to subsection (1)(b), a permanency hearing must be held by the court or, subject to the approval of the court and absent an objection by a party to the proceeding, by the foster care review committee, as provided in 41-3-115, or the citizen review board, as provided in 41-3-1010:

(A) within 30 days of a determination that reasonable efforts to provide preservation or reunification services are not necessary under 41-3-423, 41-3-438(6), or 41-3-442(1); or

(B) no later than 12 months after the initial court finding that the child has been subjected to abuse or neglect or 12 months after the child's first 60 days of removal from the home, whichever comes first.

(ii) Within 12 months of a hearing under subsection (1)(a)(i)(B) and every 12 months thereafter until the child is permanently placed in either an adoptive or a guardianship placement, the court or the court-approved entity holding the permanency hearing shall conduct a hearing and the court shall issue a finding as to whether the department has made reasonable efforts to finalize the permanency plan for the child.

(b) A permanency hearing is not required if the proceeding has been dismissed, the child was not removed from the home, the child has been returned to the child's parent or guardian, or the child has been legally adopted or appointed a legal guardian.

(c) The permanency hearing may be combined with a hearing that is required in other sections of this part or with a review held pursuant to 41-3-115 or 41-3-1010 if held within the applicable time limits. If a permanency hearing is combined with another hearing or a review, the requirements of the court related to the disposition of the other hearing or review must be met in addition to the requirements of this section.

(d) The court-approved entity conducting the permanency hearing may elect to hold joint or separate reviews for groups of siblings, but the court shall issue specific findings for each child.

(2) At least 3 working days prior to the permanency hearing, the department shall submit a report regarding the child to the entity that will be conducting the hearing for review. The report must address the department's efforts to effectuate the permanency plan for the child, address the options for the child's permanent placement, examine the reasons for excluding higher priority options, and set forth the proposed plan to carry out the placement decision, including specific times for achieving the plan.

(3) At least 3 working days prior to the permanency hearing, the guardian ad litem or an attorney or advocate for a parent or guardian may submit an informational report to the entity that will be conducting the hearing for review.

(4) In a permanency hearing, the court or other entity conducting the hearing shall consult, in an age-appropriate manner, with the child regarding the proposed permanency or transition plan for the child.

~~(4)~~(5) (a) The court's order must be issued within 20 days after the permanency hearing if the hearing was conducted by the court. If a member of the child's extended family, including an adult sibling, grandparent, great-grandparent, aunt, or uncle, has requested that custody be awarded to that family member or that a prior grant of temporary custody with that family member be made permanent, the department shall investigate and determine if awarding custody to that family member is in the best interests of the child. The department shall provide the reasons for any denial to the court. If the court accepts the department's custody recommendation, the court shall inform any denied family member of the reasons for the denial to the extent that confidentiality laws allow. The court shall include the reasons for denial in the court order if the family member who is denied custody requests it to be included.

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(b) If an entity other than the court conducts the hearing, the entity shall keep minutes of the hearing and the minutes and written recommendations must be provided to the court within 20 days of the hearing.

(c) If an entity other than the court conducts the hearing and the court concurs with the recommendations, the court may adopt the recommendations as findings with no additional hearing required. In this case, the court shall issue written findings within 10 days of receipt of the written recommendations.

~~(5)~~(6) The court shall approve a specific permanency plan for the child and make written findings on:

- (a) whether the permanency plan is in the best interests of the child;
- (b) whether the department has made reasonable efforts to finalize the plan; and
- (c) other necessary steps that the department is required to take to effectuate the terms of the plan.

~~(6)~~(7) In its discretion, the court may enter any other order that it determines to be in the best interests of the child that does not conflict with the options provided in subsection ~~(7)~~ (8) and that does not require an expenditure of money by the department unless the court finds after notice and a hearing that the expenditures are reasonable and that resources are available for payment. The department is the payor of last resort after all family, insurance, and other resources have been examined.

~~(7)~~(8) Permanency options include:

- (a) reunification of the child with the child's parent or guardian;
- (b) adoption;
- (c) appointment of a guardian pursuant to 41-3-444; or
- (d) long-term custody if the child is in a planned permanent living arrangement and if it is established by a preponderance of the evidence, which is reflected in specific findings by the court, that:

(i) the child is being cared for by a fit and willing relative;

(ii) the child has an emotional or mental handicap that is so severe that the child cannot function in a family setting and the best interests of the child are served by placement in a residential or group setting;

(iii) the child is at least 16 years of age and is participating in an independent living program and that termination of parental rights is not in the best interests of the child;

(iv) the child's parent is incarcerated and circumstances, including placement of the child and continued, frequent contact with the parent, indicate that it would not be in the best interests of the child to terminate parental rights of that parent; or

(v) the child meets the following criteria:

(A) the child has been adjudicated a youth in need of care;

(B) the department has made reasonable efforts to reunite the parent and child, further efforts by the department would likely be unproductive, and reunification of the child with the parent or guardian would be contrary to the best interests of the child;

(C) there is a judicial finding that other more permanent placement options for the child have been considered and found to be inappropriate or not to be in the best interests of the child; and

(D) the child has been in a placement in which the foster parent or relative has committed to the long-term care and to a relationship with the child, and it is in the best interests of the child to remain in that placement.

~~(8)~~(9) The court may terminate a planned permanent living arrangement upon petition of the birth parents or the department if the court finds that the circumstances of the child or family have substantially changed and the best interests of the child are no longer being served.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/25/2007

HB 209, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "REPEALING" on line 6 through "LEGISLATION;" on line 7

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2. Title, page 1, line 8.

Strike: "REPEALING" through ";"

3. Page 8, line 16.

Strike: section 6 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/24/2007

SB 36, introduced by Cocchiarella

SB 47, introduced by Esp

SB 60, introduced by Cobb

SB 71, introduced by Gebhardt

SB 122, introduced by Kitzenberg

SB 133, introduced by Essmann

SB 152, introduced by Ryan

SB 164, introduced by Gallus

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 453, introduced by Wiseman, referred to Judiciary.

HB 454, introduced by McGillvray, Stapleton, referred to Education.

HB 455, introduced by Stoker, referred to Judiciary.

HB 456, introduced by McNutt, referred to Judiciary.

HB 457, introduced by Olson, referred to State Administration.

HB 458, introduced by Olson, referred to Taxation.

HB 459, introduced by Heinert, referred to Judiciary.

HB 460, introduced by Keane, Mendenhall, Gebhardt, Olson, Gallus, Noonan, Heinert, Ankney, Groesbeck, referred to Natural Resources.

HB 461, introduced by Ebinger, Phillips, Hawks, Wiseman, Pomnichowski, Bergren, Hollenbaugh, McAlpin, Ward, referred to Business and Labor.

HB 462, introduced by Sands, Williams, Stoker, Wilson, Erickson, Lange, Parker, Hawks, Dickenson, Laslovich, referred to Judiciary.

HB 463, introduced by Villa, referred to Taxation.

HB 464, introduced by K. Peterson, Jent, Gallus, Shockley, referred to Judiciary.

HB 465, introduced by Jore, referred to Education.

HB 466, introduced by Jore, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Villa in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading,

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recommend as follows:

HB 82 - Representative Parker moved **HB 82**, second reading copy, be amended as follows:

1. Title, line 7.

Following: "PORNOGRAPHY;"

Insert: "PROVIDING DEFINITIONS;"

Strike: "AND"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "45-5-625"

Insert: "AND 50-19-501"

Following: "MCA"

Insert: "; AND REPEALING SECTION 45-5-620, MCA"

2. Page 1, line 25.

Following: "child"

Strike: ";

3. Page 1, lines 26 through 29.

Strike: "(i)" on line 26

Following: "simulated;" on line 26

Strike: remainder of line 26 through "person;"

4. Page 2, line 17.

Following: "SECTION."

Insert: "the following definitions apply: (a)"

Strike: "ELECTRONIC"

Insert: "Electronic"

5. Page 2, line 19.

Following: line 19

Insert: "(b)"Sexual conduct" means:

(i) actual or simulated:

(A) sexual intercourse, whether between persons of the same or opposite sex;

(B) penetration of the vagina or rectum by any object, except when done as part of a recognized medical procedure;

(C) bestiality;

(D) masturbation;

(E) sadomasochistic abuse;

(F) lewd exhibition of the genitals, breasts, pubic or rectal area, or other intimate parts of any person; or

(G) defecation or urination for the purpose of the sexual stimulation of the viewer; or

(ii) depiction of a child in the nude or in a state of partial undress with the purpose to abuse, humiliate, harass, or degrade the child or to arouse or gratify the person's own sexual response or desire or the sexual response or desire of any person.

(c) "Simulated" means any depicting of the genitals or pubic or rectal area that gives the appearance of sexual conduct or incipient sexual conduct.

(d) "Visual medium" means:

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- (i) any film, photograph, videotape, negative, slide, or photographic reproduction that contains or incorporates in any manner any film, photograph, videotape, negative, or slide; or
- (ii) any disk, diskette, or other physical media that allows an image to be displayed on a computer or other video screen and any image transmitted to a computer or other video screen by telephone line, cable, satellite transmission, or other method."

6. Page 2, line 20.

"Section 2. Section 50-19-501, MCA, is amended to read:

"50-19-501. Nursing mother and infant protection. (1) The Montana legislature finds that breastfeeding a baby is an important and basic act of nurturing that must be protected in the interests of maternal and child health and family values. A mother has a right to breastfeed the mother's child in any location, public or private, where the mother and child are otherwise authorized to be present, irrespective of whether or not the mother's breast is covered during or incidental to the breastfeeding.

(2) A unit of local government may not prohibit breastfeeding in public by local ordinance.

(3) The act of breastfeeding may not be considered:

(a) a nuisance as provided in Title 27, chapter 30;

(b) indecent exposure as provided for in 45-5-504;

(c) sexual conduct as defined in ~~45-5-620(1)(f)~~ 45-5-625; or

(d) obscenity as provided for in 45-8-201."

Insert: "NEW SECTION. Section 3. Repealer. Section 45-5-620, MCA, is repealed."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 82 - Motion that **HB 82** do pass carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 1 - Representative Keane moved consideration of **HB 1** be passed for the day. Motion carried.

HB 24 - Representative Klock moved **HB 24** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Furey, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Ripley, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilson.

Total 68

Noes: Becker, Bixby, Branae, Caferro, Cohenour, Dickenson, Erickson, Franklin, Gallik, Glaser, Grinde, Hands, Ingraham, Jacobson, Jayne, Jore, McAlpin, Musgrove, Parker, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Van Dyk, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 32

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 33 - Representative McNutt moved **HB 33** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross,

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Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Beck, Blasdel, Everett, Hawk, Jore, Kerns, Koopman, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 13

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: Ward.

Total 1

HB 37 - Representative Reinhart moved **HB 37** do pass. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Thomas, Ward, Wells, Witte, Mr. Speaker.

Total 49

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 114 - Representative Olson moved **HB 114** do pass.

HB 114 - Representative Gallik moved **HB 114** be amended. The amendment failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Koopman, Kottel, MacLaren, McAlpin, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Van Dyk, Wilmer, Windy Boy, Wiseman.

Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Driscoll, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara,

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Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 54

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 114 - Representative Gallik moved **HB 114** be amended as follows:

1. Page 5, line 5.

Strike: "\$350,000"

Insert: "\$250,000"

Amendment adopted as follows:

Ayes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Witte, Mr. Speaker.

Total 49

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 114 - Representative Gallik moved **HB 114** be amended. The amendment failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Jore, Kottel, Lambert, McAlpin, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Glaser, Groesbeck,

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Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 114 - Motion that **HB 114** do pass carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilson, Witte.

Total 70

Noes: Augare, Bixby, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, French, Gallik, Grinde, Hands, Henry, Hollenbaugh, Jacobson, Jore, Koopman, McAlpin, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Van Dyk, Wells, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 30

Voted Absentee: Campbell, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Villa moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 85

Noes: Caferro, Callahan, Erickson, Everett, Franklin, Gallik, Hendrick, Jayne, Jore, Raser, Wells, Wiseman.

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Total 12

Excused: Campbell, Small-Eastman.
Total 2

Absent or not voting: Phillips.
Total 1

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Stoker, Chairman):

1/24/2007

HB 64, do pass. Report adopted.

HB 117, introduced bill, be amended as follows:

1. Page 2, line 5.

Strike: "Montana hospitals"

Insert: "each licensed hospital, health care facility, or health care provider"

2. Page 2, line 7.

Following: "birth"

Strike: ";

Insert: "and report the results to each infant's primary care provider, including any recommendation for audiologic assessment for an infant with two failed hearing screenings; and"

3. Page 2, line 8 through page 2, line 10.

Following: "loss;"

Strike: "and" on page 2, line 8 through "assessment;" on page 2, line 10

4. Page 2, line 16.

Strike: "referral"

Insert: "recommendation"

5. Page 2, line 22.

Strike: "hospitals"

Insert: "each licensed hospital, health care facility, or health care provider providing obstetric services"

6. Page 3.

Following: "line 20"

Insert: "(iii) the number of infants not screened and the reason each infant was not screened, in accordance with reporting requirements;"

Renumber: subsequent subsections

7. Page 3, line 22.

Strike: "referred for audiologic assessment"

Insert: "who do not pass their screenings and the contact information for the primary care provider who was notified of the screening results for each infant who did not pass the screenings"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

1/25/2007

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HB 65, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

Strike: "DESIGNATING" on line 6 through "ACT;" on line 7

2. Title, line 9 through line 11.

Following: "LAWS;"

Strike: "PROVIDING" on line 9 through "PURPOSES;" on line 11

3. Title, line 13.

Following: "FACTOR;"

Insert: "PROVIDING THAT CERTAIN INFORMATION REGARDING SUBSEQUENT INJURY CERTIFICATION IS PART OF THE WORKERS' COMPENSATION DATABASE SYSTEM AND MAY BE RELEASED UNDER SPECIFIED CONDITIONS TO AN INSURER; LIMITING LIABILITY OF INJURED EMPLOYEES TO THIRD-PARTY PROVIDERS AND PROVIDING FOR ACTIONS BY THIRD-PARTY PROVIDERS AGAINST UNINSURED EMPLOYERS FOR SERVICES TO AN EMPLOYEE THAT ARE NOT REIMBURSED BY THE UNINSURED EMPLOYERS' FUND;"

4. Title, line 16.

Strike: "39-71-203,"

Insert: "39-71-225",

Following: "39-71-503,"

Insert: "39-71-508,"

5. Page 2, line 22 through page 3, line 2.

Strike: section 2 in its entirety

Renumber: subsequent sections

6. Page 3, lines 10 through 21.

Strike: section 4 in its entirety

Insert: "**Section 3.** Section 39-71-225, MCA, is amended to read:

"39-71-225. Workers' compensation database system. (1) The department shall develop a workers' compensation database system to generate management information about Montana's workers' compensation system. The database system must be used to collect and compile information from insurers, employers, medical providers, claimants, claims examiners, rehabilitation providers, and the legal profession.

(2) Data collected must be used to provide:

(a) management information to the legislative and executive branches for the purpose of making policy and management decisions, including but not limited to:

(i) performance information to enable the state to enact remedial efforts to ensure quality, control abuse, and enhance cost control;

(ii) information on medical, indemnity, and rehabilitation costs, utilization, and trends;

(iii) information on litigation and attorney involvement for the purpose of identifying trends, problem areas, and the costs of legal involvement;

(b) current and prior claim information to any insurer that is at risk on a claim, or that is alleged to be at risk in any administrative or judicial proceeding, to determine claims liability or for fraud investigation. The department may release information only upon written request by the insurer and may disclose only the claimant's name, claimant's identification number, prior claim number, date of injury, body part involved, and name and address of the insurer and claims examiner on each claim filed. Information obtained by an insurer pursuant to this section must remain confidential and may not be disclosed to a third party except to the extent necessary for determining claim liability or for fraud investigation;~~and~~

(c) current and prior claim information to law enforcement agencies for purposes of fraud investigation or

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prosecution; and

(d) to any insurer that is at risk on a claim, information identifying whether the claimant has been certified by the department as a person with a disability. Information obtained by an insurer pursuant to this subsection (2)(d) must remain confidential and may not be disclosed to a third party except as necessary to implement the provisions of Title 39, chapter 71, part 9. An insurer may disclose to the employer that the claimant has been certified by the department and of the potential for a limit on the insurer's liability and of potential reimbursement by the subsequent injury fund.

(3) The department is authorized to collect from insurers, employers, medical providers, the legal profession, and others the information necessary to generate the workers' compensation database system.

(4) The workers' compensation database system must be designed in accordance with the following principles:

(a) avoidance of duplication and inconsistency;
(b) reasonable availability of data elements;
(c) value of information collected to be commensurate with the cost of retrieving the collected information;
(d) uniformity to permit efficiency of collection and to allow interstate comparisons;
(e) a workable mechanism to ensure the accuracy of the data collected and to protect the confidentiality of collected data;

(f) reasonable availability of the data at a fair cost to the user;
(g) a broad application to plan No. 1, plan No. 2, and plan No. 3 insurers;
(h) compatibility with electronic data reporting;
(i) reporting procedures that can be handled through private data collection systems that adhere to the provisions of subsections (4)(a) through (4)(h);

(j) implementation of reporting requirements that allow reasonable lead time for compliance.

(5) The department shall publish an annual report on the information compiled.

(6) Users of information obtained from the workers' compensation database under this section are liable for damages arising from misuse or unlawful dissemination of database information.

(7) An insurer or a third-party administrator who submitted 50 or more "first reports of injury" to the department in the preceding calendar year shall electronically submit the reports and any other reports related to the reported claims in a nationally recognized format specified by department rule.

(8) The department may adopt rules to implement this section."

Renumber: subsequent sections

7. Page 4, line 17.

Following: "necessary for"

Strike: "the administration of the fund and for"

8. Page 4, following line 18.

Insert: "Section 5. Section 39-71-508, MCA, is amended to read:

"39-71-508. Coordination of remedies -- limitation of liability of employee to third-party providers -- rights of third-party providers. (1) An employee who suffers an injury arising out of and in the course of employment while working for an uninsured employer, as defined in 39-71-501, or an employee's beneficiaries in injuries resulting in death may pursue all remedies concurrently, including but not limited to:

- ~~(1)(a)~~ (a) a claim for benefits from the uninsured employers' fund;
~~(2)(b)~~ (b) a damage action against the employer in accordance with 39-71-509;
~~(3)(c)~~ (c) an independent action against an employer as provided in 39-71-515; or
~~(4)(d)~~ (d) any other civil remedy provided by law.

(2) An employee who is entitled to recover under this part is not liable to any third-party provider for services provided to the employee that are not reimbursed by the uninsured employers' fund.

(3) A third-party provider that is not fully reimbursed by the uninsured employers' fund for services provided to an injured employee may bring an action directly against the uninsured employer for the amount of services that were not paid by the uninsured employers' fund."

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Renumber: subsequent sections

9. Page 7, line 28.

Strike: "(1)"

Strike: "3"

Insert: "2"

10. Page 7, line 29.

Strike: "3"

Insert: "2"

11. Page 7, line 30 through page 8, line 1.

Strike: subsection (2) in its entirety

12. Page 8, line 5.

Strike: "5"

Insert: "4"

And, as amended, do pass. Report adopted.

HB 72, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "DESIGNATING"

Insert: "ESTABLISHING REQUIREMENTS FOR"

Strike: "A CRIMINAL JUSTICE AGENCY FOR"

Insert: "PERTAINING TO"

2. Title, line 8 through line 9.

Strike: "REQUIRING" on line 8 through "ORGANIZATIONS;" on line 9

3. Page 1, line 16 through line 18.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 7 through line 11.

Strike: "Each" on line 7 through "(5)(b)(i)." on line 11

Insert: "As a prerequisite to the issuance of a license, the department shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation.

(ii) The applicant shall sign a release of information to the department and is responsible to the department of justice for the payment of all fees associated with the criminal background check.

(iii) Upon completion of the criminal background check, the department of justice shall forward all criminal justice information, as defined in 44-5-103, concerning the applicant that involves the conviction of a criminal offense in any jurisdiction to the department, as authorized in 44-5-303.

(iv) At the conclusion of any background check required by this section, the department must receive the criminal background check report but may not receive the fingerprint card of the applicant. Upon receipt of the criminal background check report, the department of justice shall promptly destroy the fingerprint card of the applicant.

(c) If an applicant has a history of criminal convictions, then pursuant to 37-1-203, the applicant

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has the opportunity to demonstrate to the department that the applicant is sufficiently rehabilitated to warrant the public trust, and if the department determines that the applicant is not, the license may be denied."

5. Page 9, line 7 through line 8.

Strike: section 4 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 145, introduced bill, be amended as follows:

1. Page 1, line 16.

Following: "licenses,"

Insert: "licenses,"

2. Page 1, line 19.

Following: "licenses,"

Insert: "licenses,"

3. Page 2, line 16.

Following: "licenses,"

Insert: ",licenses,"

And, as amended, do pass. Report adopted.

HB 190, introduced bill, be amended as follows:

1. Title, line 5.

Following: "23-5-317,"

Strike: "23-5-324,"

2. Page 7, line 20.

Strike: "at all times"

Insert: "upon request"

3. Page 9, line 26 through page 10, line 3.

Strike: section 6 in its entirety

Renumber: subsequent sections

4. Page 11, line 3.

Strike: "8"

Insert: "7"

5. Page 11, line 4.

Strike: "8"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 286, introduced bill, be amended as follows:

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1. Page 1, line 29.

Strike: "20%"

Insert: "14%"

2. Page 1, line 30.

Following: "U.S."

Insert: "bureau of the"

Following: "census"

Strike: "bureau's small area income and poverty"

3. Page 3, line 25.

Strike: "more advantageous"

Insert: "50% to 100%"

And, as amended, do pass. Report adopted.

HB 319, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

Strike: "REVISING" on line 5 through "CONTRACTS;" on line 6

Insert: "AND"

2. Title, line 7 through line 8.

Strike: ";" through "MCA"

3. Page 2, line 4 through line 14.

Strike: section 2 in its entirety

Renumber: subsequent sections

4. Page 3, line 14.

Strike: "3 and 4"

Insert: "2 and 3"

5. Page 3, line 15.

Strike: "3 and 4"

Insert: "2 and 3"

And, as amended, do pass. Report adopted.

HB 333, do pass. Report adopted.

EDUCATION (Jore, Chairman):

1/25/2007

HB 194, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "year"

Insert: "by the 20th class day"

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And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved **HB 33** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 37** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 114** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 25, introduced by Olson, the following sponsor was added:
Senator Laslovich

HB 222, introduced by L.Jones, the following sponsor was added:
Representative Villa

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, January 26, 2007. Motion carried.

House adjourned at 3:15 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTEENTH LEGISLATIVE DAY**

Helena, Montana
January 26, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kasten. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Small-Eastman and Representative McAlpin who were excused. Quorum present.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 24 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Ripley, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Windy Boy.
Total 70

Noes: Becker, Bixby, Branae, Caferro, Campbell, Erickson, Gallik, Grinde, Hands, Ingraham, Jacobson, Jore, Koopman, Musgrove, Parker, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sinrud, Van Dyk, Wells, Wilson, Wiseman, Witte, Mr. Speaker.
Total 28

Voted Absentee: Small-Eastman, Aye.

Excused: McAlpin.
Total 1

Absent or not voting: Franklin.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 1/26/2007
Correctly engrossed: **HB 53, HB 65, HB 72, HB 83, HB 91, HB 117, HB 145, HB 190, HB 194, HB 209, HB 286, HB 319.**

AGRICULTURE (Butcher, Chairman): 1/26/2007
HB 269, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 1/26/2007
HB 171, introduced bill, be amended as follows:

1. Title, line 7.

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Following: "A"

Insert: "PREVIOUSLY"

2. Page 1, line 26.

Following: "course"

Insert: "if required pursuant to 87-2-105"

3. Page 1, line 29.

Following: "(v)"

Strike: "included"

Insert: "provided"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

1/26/2007

HB 193, do pass. Report adopted.

RULES (Lange, Chairman):

1/26/2007

SB 1, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

1/25/2007

SB 15, introduced by J. Tropila

SB 45, introduced by Weinberg

SB 65, introduced by Cobb

SB 95, introduced by Smith

SB 137, introduced by Laible

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 467, introduced by K. Peterson, Lind, Wanzenried, referred to Judiciary.

HB 468, introduced by McGillvray, Lind, Wanzenried, Essmann, referred to Judiciary.

HB 469, introduced by McNutt, Gillan, Olson, McChesney, referred to Taxation.

HB 470, introduced by Olson, Ingraham, referred to Taxation.

HB 471, introduced by Dickenson, Phillips, Caferro, Branae, Henry, Sands, McNutt, referred to Business and Labor.

HB 472, introduced by Arntzen, referred to Appropriations.

HB 473, introduced by Ross, Van Dyk, McNutt, Lambert, Dickenson, Hendrick, Pomnichowski, Vincent, Barrett, Mendenhall, Small-Eastman, Erickson, Heinert, Hands, referred to Natural Resources.

HB 474, introduced by Stahl, referred to Taxation.

HB 475, introduced by Bixby, Small-Eastman, Hiner, referred to Appropriations.

HB 476, introduced by Van Dyk, Furey, Larson, Nooney, Stahl, Becker, Hamilton, Driscoll, referred to Fish, Wildlife and Parks.

HB 477, introduced by Raser, referred to Education.

HB 478, introduced by Raser, referred to Education.

HB 479, introduced by Raser, Juneau, referred to Education.

HB 480, introduced by Lake, referred to Appropriations.

HB 481, introduced by Mendenhall, referred to Taxation.

HB 482, introduced by Hamilton, referred to Business and Labor.

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HB 483, introduced by Cohenour, referred to Transportation.

HB 484, introduced by Barrett, referred to Agriculture.

HB 485, introduced by Kottel, referred to State Administration.

HB 486, introduced by Beck, referred to Judiciary.

HB 487, introduced by Hiner, Lewis, Laslovich, Ward, referred to State Administration.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 20, introduced by Milburn, referred to Federal Relations, Energy, and Telecommunications.

HJR 21, introduced by Hamilton, Henry, Furey, Franklin, Erickson, Cordier, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Augare in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 1 - Representative Keane moved **HJR 1** be adopted.

HJR 1 - Representative McGillvray moved **HJR 1**, be amended, as follows:

1. Page 2, line 10.

Following: "competitiveness; ~~and~~"

Insert: "and"

2. Page 2, line 11 through page 2, line 15.

Strike: subsections 5 and 6 in their entirety

3. Page 2, line 16.

Strike: "(7)"

Insert: "(5)"

Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Jore, Kasten, Koopman, Sinrud.

Total 4

Voted Absentee: McAlpin, Small-Eastman, Ayes.

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Excused: None.
Total 0

Absent or not voting: Franklin, Musgrove.
Total 2

HJR 1 - The motion to pass **HJR 1** passed as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 61

Noes: Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 39

Voted Absentee: Small-Eastman, Aye; McAlpin, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 173 - Representative Cordier moved **HB 173** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 74

Noes: Ankney, Beck, Blasdel, Boggio, Everett, Gallik, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, W. Jones, Kasten, Klock, Malcolm, McGillvray, Milburn, Nooney, Olson, Peterson, Stoker, Taylor, Ward, Windy Boy, Witte.
Total 25

Voted Absentee: McAlpin, Small-Eastman, Ayes.

Excused: None.
Total 0
Absent or not voting: Franklin.
Total 1

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HB 348 - Representative Keane moved **HB 348** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 78

Noes: Becker, Blasdel, Boggio, Erickson, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, Lambert, Rice, Ross, Sonju, Stoker, Vincent, Wells, Wilson, Witte.

Total 22

Voted Absentee: McAlpin, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 49 - Representative Hamilton moved **HB 49** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: McAlpin, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 53 - Representative Bixby moved consideration of **HB 1** be passed for the day. Motion carried.

HB 91 - Representative Clark moved consideration of **HB 91** be passed for the day. Motion carried.

HB 132 - Representative Sesso moved **HB 132** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Hawk, Jore, Kasten, Koopman, Rice, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: McAlpin, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 156 - Representative Franklin moved **HB 156** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Everett, Hawk, Himmelberger, Jore, Koopman, McGillvray.

Total 6

Voted Absentee: McAlpin, Small-Eastman, Ayes.

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

HB 209 - Representative K. Peterson moved **HB 209** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells,

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Witte, Mr. Speaker.
Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Voted Absentee: McAlpin, Small-Eastman, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sands, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Bixby, Callahan, Dickenson, Furey, Gallik, Hendrick, Jayne, McGillvray, Pomnichowski, Raser, Sesso, Wilson, Windy Boy.
Total 13

Excused: McAlpin, Small-Eastman.
Total 2

Absent or not voting: Sinrud.
Total 1

REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman): 1/26/2007
HB 162, do pass. Report adopted.
HB 287, do pass. Report adopted.
HB 322, do pass. Report adopted.
HB 384, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman): 1/26/2007
HB 293, do pass. Report adopted.

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HB 317, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):
HB 281, introduced bill, be amended as follows:

1/26/2007

1. Title, page 1, line 5 through line 6.

Strike: "AND" on line 5 through "REGISTRATION" on line 6

2. Title, page 1, line 7.

Following: " ; "

Insert: "AND"

Strike: "13-1-111" through "13-2-514,"

Insert: "13-2-304,"

3. Title, page 1, line 8.

Strike: "13-21-201, 13-21-202,"

4. Title, page 1, line 8 through line 9.

Strike: " ; " on line 8 through "MCA" on line 9

5. Page 1, line 13, through page 5, line 19.

Strike: section 1 through section 5 in their entirety

Insert: "Section 1. Section 13-2-304, MCA, is amended to read:

"13-2-304. Late registration -- late changes -- nonapplicability for school elections. (1) Except as provided in subsections (2) and (3), the following provisions apply:

(a) An elector may register or change the elector's voter registration information after the close of regular registration in 13-2-301 and vote in the election if the election administrator in the county where the elector resides receives and verifies the elector's voter registration information ~~prior to the close of the polls on~~ by 5 p.m. on the Friday before election day.

(b) Except as provided in 13-2-514(2)(a), an elector who registers or changes the elector's voter information pursuant to this section may vote in the election only if the elector votes at the county election administrator's office.

(2) If an elector has already been sent an absentee ballot for the election, the elector may change the elector's voter registration information only with respect to the next election.

(3) The provisions of subsection (1) do not apply with respect to an elector's registration to vote in a school election held pursuant to Title 20."

Renumber: subsequent sections

6. Page 7, line 29, through page 8, line 28.

Strike: sections 9 and 10 in their entirety

Renumber: subsequent sections

7. Page 9, line 17.

Strike: section 12 in its entirety

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

1/26/2007

HB 196, introduced bill, be amended as follows:

1. Title, line 6.

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Strike: "REQUIRING"
Insert: "AUTHORIZING"

2. Page 4, line 19.

Strike: "shall"
Insert: "may"

3. Page 4, line 20 through line 21.

Strike: ";" on line 20 through "(a)" on line 21

4. Page 4, line 22.

Strike: ", including" through "line"

5. Page 4, line 23 through line 25.

Strike: subsection (b) in its entirety

6. Page 4, line 28 through line 29.

Strike: ", including" on line 28 through "line" on line 29

7. Page 4, line 30 through page 5, line 1.

Strike: ", including" on page 4, line 30 through "line," on page 5, line 1

And, as amended, do pass. Report adopted.

HB 240, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "establishments"
Insert: "located in Montana"

2. Page 1, line 13.

Following: "lodging"
Insert: "in Montana"

3. Page 1, line 14.

Strike: "Participating"
Insert: "Except as provided in subsection (8), participating"

4. Page 1, line 17.

Following: "disaster"
Insert: "or artificial cause"

5. Page 1, line 18.

Strike: "life"
Insert: "the individual"
Following: "assault"
Insert: ", as described in 45-5-206,"

6. Page 1, line 21.

Strike: "Establishments"

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Insert: "Except as provided in subsection (8), establishments"

7. Page 1.

Following: line 30

Insert: "(a) "Artificial cause" includes but is not limited to accidents involving hazardous materials, air and water contamination, building fires, and explosions."

Renumber: subsequent subsections

8. Page 2, line 3.

Following: "earthquake"

Insert: "landslide, mudslide, snowstorm,"

9. Page 2.

Following: line 3

Insert: "(8) The tax credit referred to in subsections (2) and (3) does not apply to the costs of providing lodging to an individual who is displaced by a major disaster declared by the president under 42 U.S.C. 5170 or 5191 and who receives financial assistance for temporary housing under 42 U.S.C. 5174."

10. Page 2, line 16.

Strike: "average"

Strike: "per diem"

Insert: "lodging rate"

11. Page 2, line 17.

Strike: "region"

Insert: "location"

12. Page 2.

Following: line 18

Insert: "(3) The credit may be claimed only for lodging provided in Montana."

Renumber: subsequent subsection

13. Page 2.

Following: line 20

Insert: "(5) If the credit allowed under this section is claimed by a small business corporation, as defined in 15-30-1101, or a partnership, the credit must be attributed to shareholders or partners, using the same proportion to report the corporation's or partnership's income or loss for Montana income tax purposes."

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved **HB 173** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 348** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 49** be rereferred to the committee on Appropriations. There being no objections, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, January 29, 2007. Motion carried.

House adjourned at 2:20 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
NINETEENTH LEGISLATIVE DAY**

Helena, Montana
January 29, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kerns. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

The Speaker introduced the pages of the week:

Pages:	Kirk Skari, Chester
	Sara Schwertenleib, Florence
	Jessica McGillis, Deer Lodge
	Virginia Blackwell, Florence
	Jake Schwaller, East Helena
	Erik Kappelman, Missoula
	Ingrid McNair, Bozeman
	Brian Thompson, Deer Lodge

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):	1/26/2007
Correctly printed: HB 162, HB 193, HB 269, HB 287, HB 293, HB 317, HB 322, HB 384.	
Correctly engrossed: HB 171, HB 196, HB 240, HB 281.	

NATURAL RESOURCES (McNutt, Chairman):	1/29/2007
HB 39 , introduced bill, be amended as follows:	

1. Title, line 13.
Strike: second "AND"

2. Title, line 14.
Following: "MCA"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, lines 25 and 26.
Following: "information" on line 25
Strike: "in the clerk" on line 25 through "information" on line 26

4. Page 2, line 20.
Following: "closing"
Insert: "or transfer of real property"

5. Page 2, line 25.
Following: "closing"
Insert: "or upon completion of the transfer of real property"

6. Page 3, lines 12 through 19.
Strike: subsection (6) in its entirety

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Insert: "(6) If the realty transfer certificate submitted with a deed or other instrument indicates that a water right is being severed, divided, or exempted, the clerk and recorder may not record the deed or instrument unless there is submitted with the deed or instrument a certification under penalty of false swearing, on a form provided by the department and signed by the transferor and transferee, that either states:

(a) that the documents and fee necessary to comply with this section are held in escrow, in which case the certification must also be signed by the escrow agent; or

(b) if there is no escrow, that the transferor and transferee certify that they have prepared the required documents and will send the required documents and fee to the department within 5 business days of recording, in which case the certification must also require the transferee to acknowledge that failure to file the appropriate documents and fee with the department will result in the department assessing the penalty in 85-2-431 against the transferee.

(7) Any written agreement to transfer land that has appurtenant water rights on record with the department must contain the following disclosure or words of a similar nature:

"WATER RIGHT OWNERSHIP UPDATE DISCLOSURE: By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in the case of water rights being exempted, severed, or divided, the failure of the parties to comply with section 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.""

7. Page 3, line 25.

Strike: "real estate"

Insert: "realty"

8. Page 4, line 6.

Following: "district."

Insert: "At the discretion of the department, the judgment may be certified to the district court in the county where the real property is located."

9. Page 4, line 9.

Insert: "NEW SECTION. **Section 7. Effective date.** [This act] is effective July 1, 2008."

And, as amended, do pass. Report adopted.

HJR 5, be adopted. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/26/2007

HB 225, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "or administrative"

Strike: "taken"

Insert: "filed, or a conclusive administrative order is not issued,"

2. Page 5, line 29.

Strike: "or administrative"

Strike: "taken"

Insert: "filed, or a conclusive administrative order is not issued,"

And, as amended, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/26/2007
SB 42, introduced by Brueggeman
SB 54, introduced by Cocchiarella
SB 146, introduced by Shockley
SB 158, introduced by Cocchiarella

House bill passed and transmitted to the House for concurrence: 1/26/2007
HB 1, introduced by Sinrud

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 488, introduced by Jopek, referred to Appropriations.
HB 489, introduced by Erickson, Pomnichowski, Cordier, Raser, Callahan, Dickenson, Wilmer, Sesso, Ebinger, Sands, Jopek, Hollenbaugh, Reinhart, Jacobson, Phillips, Kitzenberg, Bixby, Branae, Thomas, Kaufmann, Grinde, Groesbeck, referred to Local Government.
HB 490, introduced by French, Ward, Beck, Olson, Sands, Lewis, Keane, Kaufmann, Pomnichowski, Kottel, Cordier, Noonan, referred to Taxation.
HB 491, introduced by Sinrud, Clark, Kasten, Taylor, Ripley, Lange, Sonju, Sales, referred to Judiciary.
HB 492, introduced by Himmelberger, referred to Business and Labor.
HB 493, introduced by Cohenour, referred to Agriculture.
HB 494, introduced by Morgan, Lambert, Ingraham, Himmelberger, Hendrick, Lake, Koopman, Wells, Lange, McGillvray, Mendenhall, Klock, Malcolm, Witte, Rice, Heinert, McNutt, referred to Judiciary.
HB 495, introduced by Sesso, Phillips, Van Dyk, Dickenson, Ebinger, Henry, French, Jackson, Himmelberger, McChesney, Kottel, Raser, Cohenour, Hands, Musgrove, Jopek, Keane, Hamilton, Furey, Erickson, Jacobson, Augare, W. Jones, Stahl, Klock, Olson, Heinert, Parker, Noonan, Hollenbaugh, Groesbeck, Cordier, Grinde, Franklin, Windy Boy, Caferro, Vincent, referred to Appropriations.
HB 496, introduced by French, Henry, Franklin, Pomnichowski, referred to Judiciary.
HB 497, introduced by Pomnichowski, Franklin, Wanzenried, referred to Fish, Wildlife and Parks.
HB 498, introduced by Sands, Henry, Wilmer, Reinhart, Squires, Becker, McAlpin, Callahan, Erickson, Hands, Hollenbaugh, Cohenour, referred to State Administration.
HB 499, introduced by Pomnichowski, Erickson, French, Jopek, Cohenour, Sesso, referred to Business and Labor..
HB 500, introduced by Cohenour, Klock, Hands, Hamilton, Phillips, W. Jones, Stahl, Lambert, Cordier, Ward, Blasdel, Becker, Driscoll, Vincent, Van Dyk, Augare, Nooney, Keane, Wiseman, referred to Fish, Wildlife and Parks.
HB 501, introduced by Cohenour, Erickson, Raser, Windy Boy, Musgrove, Hamilton, Stahl, Cordier, Jacobson, Wilmer, McAlpin, Branae, Keane, referred to Taxation.
HB 502, introduced by Gallik, referred to Appropriations.
HB 503, introduced by Gallik, referred to Agriculture.
HB 504, introduced by Gallik, referred to Transportation.
HB 505, introduced by Gallik, referred to Appropriations.
HB 506, introduced by Mendenhall, referred to Judiciary.
HB 507, introduced by Campbell, Juneau, Cordier, Raser, Reinhart, Wilmer, Dickenson, Phillips, Jacobson, Sesso, Hollenbaugh, Thomas, Augare, Becker, Bixby, Bergren, Musgrove, Jopek, Ebinger, Pomnichowski, Callahan, Branae, Grinde, Groesbeck, Branae, Van Dyk, Hiner, Noonan, referred to Appropriations.
HB 508, introduced by Rice, referred to Business and Labor.

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HJR 22, introduced by W. Jones, referred to Education.

HJR 23, introduced by Cohenour, McChesney, Augare, Musgrove, French, referred to Agriculture.

HJR 24, introduced by Hands, Wiseman, Wilson, Franklin, Jopek, Cohenour, referred to Natural Resources.

HJR 25, introduced by Rice, Wells, L. Jones, Boggio, Lange, Hendrick, Sales, Hilbert, Beck, Jore, Everett, Ingraham, Morgan, Ward, Himmelberger, Ross, MacLaren, Mendenhall, Sonju, Nooney, Ripley.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Koopman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Representative Sinrud moved **HB 1** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Driscoll, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Wilmer.

Total 55

Noes: Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Clark, Dickenson, Dutton, Ebinger, Everett, Furey, Glaser, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Lake, Lange, Malcolm, Mendenhall, Morgan, Raser, Rice, Ripley, Ross, Sonju, Stoker, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

SJR 1 - Representative Lange moved **SJR 1** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Koopman.

Total 1

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 53 - Representative Lange moved consideration of **HB 53** be passed for the day. Motion carried.

HB 91 - Representative Clark moved **HB 91** do pass.

HB 91 - Representative Kottel moved **HB 1**, second reading copy, be amended as follows:

1. Page 4, line 25.

Following: "(2)"

Insert: "(a) or (2)(b)"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 91 - Motion to pass **HB 91** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Everett, Hawk, Ingraham, Jore, Kasten, Koopman, Rice, Ward.

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Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 64 - Representative Clark moved **HB 64** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 97

Noes: Jore, Koopman, Mr. Speaker.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 65 - Representative Villa moved **HB 65** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Beck, Butcher, Hendrick, Ingraham, Jayne, L. Jones, Jore, Kasten, Koopman, Lake, McGillvray, Peterson, Rice, Sinrud, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 72 - Representative Van Dyk moved **HB 72** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Barrett, Dickenson, Ingraham, Jayne, Jore, Koopman, Lake, Rice, Sinrud, Sonju, Ward, Wells, Witte, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 83 - Representative Hiner moved **HB 83** do pass.

HB 83 - Representative K. Peterson moved **HB 83**, second reading copy, be amended as follows:

1. Page 3, line 6.

Strike: "NONMEDICAL"

Insert: "medical"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 83 - Motion to pass **HB 83** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Sesso.
Total 1

HB 117 - Representative Sales moved consideration of **HB 117** be passed for the day. Motion carried.

HB 145 - Representative Sonju moved **HB 145** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 87

Noes: Barrett, Campbell, Everett, Gallik, Heinert, Jayne, Jopek, Jore, Koopman, Musgrove, Witte.
Total 11

Excused: None.
Total 0

Absent or not voting: Bixby, Mr. Speaker.
Total 2

HB 190 - Representative Thomas moved **HB 190** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Ebinger, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas,

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Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.
Total 68

Noes: Boggio, Butcher, Dickenson, Dutton, Erickson, Everett, Gallik, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Sinrud, Stoker, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.
Total 31

Excused: None.
Total 0

Absent or not voting: Nooney.
Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Koopman moved the Committee of the Whole report be adopted. Report **not** adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 83

Noes: Everett, Franklin, Gallik, Hawk, Hendrick, Jayne, W. Jones, McGillvray, Wells, Windy Boy.
Total 10

Excused: None.
Total 0

Absent or not voting: Ankney, Driscoll, Jore, Koopman, Mendenhall, Sinrud, Thomas.
Total 7

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 82 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 132 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Beck, Everett, Hawk, Jore, Kasten, Koopman, Rice, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 156 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Beck, Everett, Hawk, Himmelberger, Jore, Koopman, McGillvray, Witte, Mr. Speaker.
Total 9

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

HB 209 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Clark, Driscoll, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 60

Noes: Augare, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Gallik moved to suspend rules for the purpose of amending **HJ 1** to allow 2nd and 3rd reading on this day to amend HR 30-30(2) to change the second time the word "majority" appears to the word "minority." Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

HJ 5, introduced by Lange, the following sponsors were added:
Senator Jim Peterson

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, January 30, 2007. Motion carried.

House adjourned at 3:07 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTIETH LEGISLATIVE DAY**

Helena, Montana
January 30, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Campbell. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

COMMUNICATIONS AND PETITIONS

This letter is to inform you that I have named Mr. John Brenden as a public member to the Environmental Quality Council.

This letter is to inform you that I have named Representative Dave Kasten and Representative Bill McChesney to the Legislative Finance Committee.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 1/29/2007
Correctly printed: **HJR 5**.
Correctly engrossed: **HB 39, HB 225**.

JUDICIARY (Rice, Chairman): 1/29/2007
HB 174, do pass. Report adopted.

HB 210, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Strike: "PRESIDING OFFICER"

Insert: "CHAIRPERSON"

2. Page 1, line 19.

Strike: "Related"

Insert: "A minimum of 5 years of related"

3. Page 1, lines 19 and 20.

Strike: "presiding officer"

Insert: "chairperson"

4. Page 1, line 20.

Following: "Montana"

Insert: ", if practicable"

5. Page 1, line 27.

Following: "~~term~~:"

Insert: "The governor shall appoint one member and two auxiliary members in January of the first year of the governor's term, one member and one auxiliary member in January of the second year of the governor's term, and one member and one auxiliary member in January of the third year of the governor's term."

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6. Page 1, line 27.

Strike: "presiding officer"

Insert: "chairperson"

7. Page 1, line 28.

Strike: "presiding officer" in two places

Insert: "chairperson" in two places

8. Page 1, line 29.

Strike: "presiding officer"

Insert: "chairperson"

9. Page 2, line 15.

Strike: "presiding officer"

Insert: "chairperson"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

1/30/2007

HB 255, do pass, placed on consent calendar. Report adopted.

HB 120, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "WITH A"

Insert: "2-YEAR OR"

2. Page 1, line 27 through page 1, line 28.

Strike: "With the" on page 1, line 27 through "the" on page 1, line 28

Insert: "The"

3. Page 1, line 28.

Following: "day-care centers"

Insert: "that are licensed on an annual basis and may make annual unannounced visits to day-care centers that have been granted 2-year or 3-year licenses under 52-2-721"

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

1/30/2007

HB 211, do pass. Report adopted.

HB 260, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

Following: "REAPPOINTED" on line 6

Insert: "IN THE SAME MANNER AS AN INITIAL APPOINTMENT"

Following: ";" on line 6

Strike: remainder of line 6 through "REGENTS;" on line 7

2. Page 1, line 29.

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Following: "terms"

Insert: "subject to subsection (3)(b)"

3. Page 1, line 30.

Strike: "subsection"

Insert: "subsections"

Following: "~~(1)(b)~~"

Insert: "and (1)(b)"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

1/29/2007

SB 53, introduced by Cocchiarella

SB 115, introduced by Jent

SB 124, introduced by Harrington

SB 157, introduced by Ryan

SB 200, introduced by Lewis

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 509, introduced by Erickson, Windy Boy, Becker, Wanzenried, referred to Natural Resources.

HB 510, introduced by Stahl, referred to Local Government.

HB 511, introduced by Windy Boy, Clark, Cobb, Thomas, Hendrick, Hansen, Campbell, Larson, Williams, McAlpin, Jopek, Kasten, Villa, Wiseman, Kottel, Butcher, Squires, Musgrove, Parker, Bergren, Kitzenberg, Moss, Jacobson, Juneau, Noonan, Jayne, Stahl, Becker, Smith, Pease, J. Peterson, Augare, Cooney, Ankney, Steinbeisser, Franklin, Elliott, French, Shockley, Schmidt, McNutt, Ryan, Olson, Small-Eastman, Cocchiarella, Black, J. Tropila, Harrington, Wilmer, Jackson, O'Neil, Furey, McChesney, L. Jones, Hamilton, Laslovich, referred to Appropriations.

HB 512, introduced by L. Jones, referred to Appropriations.

HB 513, introduced by Wells, Koopman, McGillvray, MacLaren, Lange, Boggio, Jore, referred to Business and Labor.

HB 514, introduced by Caferro, Henry, Raser, Campbell, Juneau, Williams, Hands, Sands, referred to Business and Labor.

HB 515, introduced by Glaser, Lewis, Black, Jacobson, Villa, Raser, Shockley, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Milburn in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 194 - Representative Lange moved **HB 194** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert,

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Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 286 - Representative Augare moved **HB 286** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 74

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, O'Hara, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 26

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 319 - Representative Glaser moved **HB 319** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 93

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Noes: Everett, Jayne, Jore, Koopman, Mr. Speaker.
Total 5

Excused: None.
Total 0

Absent or not voting: Arntzen, Sinrud.
Total 2

HB 333 - Representative McChesney moved **HB 333** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 81

Noes: Cohenour, Dickenson, Gallik, Hands, Hawk, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, MacLaren, McGillvray, Mendenhall, O'Hara, Peterson, Stoker, Mr. Speaker.
Total 18

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 61 - Representative Erickson moved **HB 61** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Heinert, Henry, Hollenbaugh, Jacobson, W. Jones, Jopek, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Small-Eastman, Thomas, Van Dyk, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 54

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hawk, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Ward, Wells, Witte, Mr. Speaker.
Total 46

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 75 - Representative McChesney moved **HB 75** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Gallik, Jore, Kasten, Koopman.

Total 4

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

HB 162 - Representative Hiner moved **HB 162** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Hendrick, Ingraham, Jore, Koopman, Lake, Mendenhall, Rice, Sinrud, Wells, Witte, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 193 - Representative Nooney moved **HB 193** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker,

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Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 240 - Representative Nooney moved **HB 240** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Clark, Everett, Ingraham, Jore, Kasten, Keane, Kerns, Koopman, Mendenhall, Ripley, Witte, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: Furey, Hiner.

Total 2

HB 269 - Representative Rice moved **HB 269** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Milburn moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Gallik, Hendrick, Jore, Koopman, Wells.

Total 5

Excused: None.

Total 0

Absent or not voting: Everett, Franklin, Milburn, Ripley, Ward.

Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1, as amended by the Senate, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Erickson, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy.

Total 71

Noes: Becker, Blasdel, Butcher, Caferro, Dickenson, Ebinger, Everett, Furey, Groesbeck, Hawk, Heinert, Hendrick, Ingraham, Jacobson, Jayne, Jore, Kasten, Koopman, Malcolm, Mendenhall, Raser, Rice, Ross, Sonju, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 29

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 64 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 96

Noes: Jore, Koopman, Witte, Mr. Speaker.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 65 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Barrett, Butcher, Clark, Hendrick, Jayne, Jore, Kasten, Koopman, Lake, McGillvray, Peterson, Rice, Sinrud, Taylor, Wells, Witte, Mr. Speaker.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 72 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert,

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Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Barrett, Dickenson, Everett, Ingraham, Jayne, Jore, Koopman, Rice, Sinrud, Sonju, Ward, Wells, Witte, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 145 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Everett, Franklin, Gallik, Heinert, Jayne, Jopek, Jore, Koopman, Lake, Musgrove, Stoker.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 190 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Beck, Butcher, Cohenour, Dickenson, Dutton, Erickson, Everett, Gallik, Hawk, Hendrick, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 31

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Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

HJ 1 passed as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 60

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

SJR 1 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman):
HB 324, do pass. Report adopted.

1/30/2007

HB 247, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "A MISDEMEANOR" on line 4 through "OFFENSES" on line 5

Insert: "CERTAIN CONVICTIONS"

2. Title, line 6.

Following: "MADE;"

Insert: "EXEMPTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS;
EXEMPTING PERSONS WITH COMMERCIAL DRIVER'S LICENSES;"

3. Page 1, line 19.

Strike: "Except as provided for in 61-8-725(4)(b)" on line 19

Insert: "Except for a person holding any of the commercial driver's licenses described in 61-5-112"

4. Page 1, line 20.

Following: "chapter" on line 20

Insert: ", other than convictions for driving under the influence of alcohol or drugs under part 4,"

And, as amended, do pass. Report adopted.

HB 251, introduced bill, be amended as follows:

1. Page 1, line 28 through page 2, line 1.

Following: "record" on line 28

Strike: remainder of line 28 through "date" on page 2, line 1

2. Page 3, line 2.

Following: the second "judge"

Insert: "or a city judge of record"

3. Page 3, line 4 through line 5.

Strike: subsection (4) in its entirety

And, as amended, do pass. Report adopted.

HB 312, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "of the highest order"

And, as amended, do pass. Report adopted.

HB 321, introduced bill, be amended as follows:

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1. Page 1, line 11.

Strike: "and incompetent persons"

2. Page 1, line 12.

Strike: "or incompetent person"

3. Page 1, line 13.

Strike: "or incompetent person"

4. Page 1, line 15.

Strike: "or incompetent person"

5. Page 1, line 29.

Strike: "5 days"

Insert: "48 hours"

6. Page 1, line 30.

Strike: "5 days"

Insert: "48 hours"

7. Page 2, line 22.

Strike: "and incompetent persons"

And, as amended, do pass. Report adopted.

HB 329, introduced bill, be amended as follows:

1. Page 1, line 27.

Following: ". "

Insert: "An offender convicted of a first offense under this section shall also be fined an amount equivalent to the cost to the jurisdiction of confining the offender, as determined by that jurisdiction, in a maximum amount of \$60 for each day of confinement, for the minimum number of days for which the offender may be confined under this section."

2. Page 1, line 30.

Following: ". "

Insert: "An offender convicted of a second offense under this section shall also be fined an amount equivalent to the cost to the jurisdiction of confining the offender, as determined by that jurisdiction, in a maximum amount of \$60 for each day of confinement, for the minimum number of days for which the offender may be confined under this section."

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

1/30/2007

HB 26, introduced bill, be amended as follows:

1. Title, line 7.

Following: "INCREASING"

Insert: "AND STAGGERING"

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2. Title, line 9.

Following: "MONTANA;"

Insert: "PROVIDING AN APPROPRIATION;"

3. Page 1, line 21.

Strike: "eight"

Insert: "seven"

Following: "serve"

Insert: "staggered"

4. Page 1, lines 25 and 26.

Strike: subsection (1)(e)(iii) in its entirety

Renumber: subsequent subsections

5. Page 2, line 29.

Following: "(3)"

Insert: "(a)"

6. Page 2.

Following: line 30

Insert: "(b) The council shall report to the 2009 legislature on its activities and its progress in performing the duties required in subsection (2)."

7. Page 3.

Following: line 7

Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated from the general fund to the department of transportation the following amounts to support the rail service competition council and its work:

Fiscal Year 2008	\$75,000
------------------	----------

Fiscal Year 2009	75,000"
------------------	---------

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 274, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

2. Page 3.

Following: line 12

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective January 1, 2008."

And, as amended, do pass. Report adopted.

HB 303, introduced bill, be amended as follows:

1. Title, line 4.

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Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, line 9.

Following: "postconsumer"

Insert: "processed"

3. Page 1, line 10.

Strike: "shall"

Insert: "may"

4. Page 1, line 10.

Strike: "crushed"

Following: "glass"

Insert: "processed into glass cullet"

Following: "federal"

Strike: ", "

Insert: "and"

Following: "state"

Strike: ", and local"

5. Page 1, line 12.

Strike: "backfill"

Insert: "roadway fill material"

6. Page 1, line 13.

Strike: "roadfill"

Insert: "roadway aggregates"

7. Page 1, line 14.

Strike: "fill around culverts; and"

Insert: "bedding material;"

8. Page 1, line 15.

Strike: "a" through "'glascrete'"

Insert: "foundation material; and
(e) filter material"

9. Page 1, line 16.

Strike: "shall"

Insert: "may"

Strike: "postconsumer recycled glass"

Insert: "glass cullet"

10. Page 1, lines 18 and 19.

Strike: "purchasing" through "deadlines"

Insert: "road construction projects use glass cullet when it is locally available and economically feasible to incorporate into the project"

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11. Page 1, lines 20 and 21.

Strike: "viability" through "in"

Insert: "acceptable use of glass cullet for a project"

And, as amended, do pass. Report adopted.

HR 3, introduced joint resolution, be amended as follows:

1. Page 1, line 20.

Strike: "any"

Insert: "all"

2. Page 1, line 20 through line 22.

Strike: "highway" on line 20 through "projects" on line 22

Insert: "highways in Montana are constructed and maintained in a manner that promotes safe and efficient travel conditions"

3. Page 1.

Following: line 22

Insert: "BE IT FURTHER RESOLVED, that the federal government authorize and appropriate adequate funding to ensure all construction projects are awarded and completed on a timely basis."

And, as amended, be adopted. Report adopted.

MOTIONS

Majority Leader Lange moved **HB 63, HB 95, HB 125, HB 131** be taken from the Committee on Appropriations and be rereferred to the Committee on State Administration. There being no objection, so ordered.

Majority Leader Lange moved **HB 61, HB 240** be rereferred to the Committee on Appropriations. There being no objection, so ordered.

UNFINISHED BUSINESS

Representative Gallik withdrew his January 29, 2007 motion to amend **HJR 1**.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, January 31, 2007. Motion carried.

House adjourned at 3:02 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
January 31, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Windy Boy. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark escorted the Senate into the House Chambers.

Speaker Sales introduced President Cooney and yielded the chair to him.

Senator Williams moved that the body resolve itself into a joint session for the purpose of receiving the State of the Tribal Nations' address from the Honorable Carl Venne, Chairman of the Montana Crow Nation speaking on behalf of the Montana-Wyoming Tribal Leaders Council. Motion carried.

Senator Williams moved that President Cooney be authorized to appoint a committee of four to notify Chairman Venne that the House was in joint session and ready to receive his State of the Tribal Nations address. Motion carried.

President Cooney appointed Senator Pease, Senator Stapleton, Representative Small-Eastman and Representative Glaser and discharged them to escort the tribal leaders and Chairman Venne into the House Chambers.

President Cooney welcomed Dr. Barney Old Coyote, Darrin Old Coyote and Senate Chaplain Father Jerry Lowney.

The posting of the colors was presented by members of the Montana National Guard.

The women of the Crow Nation led the assembly in the Pledge of Allegiance.

On behalf of the members of House and Senate, President Cooney presented the gift of sacred herbs to Dr. Old Coyote.

The invocation was given by Dr. Barney Old Coyote of the Apsaalooke Nation.

Sergeant-at-Arms Scott admitted the tribal leaders, the Native American Caucus and the Lodge Grass Junior ROTC into the Chamber.

The committee escorted Chairman Venne of the Crow Nation and his brother Tex Hall into the Chamber.

Flag Song sung by the Apsaalooke Nation and Lodge Grass High School students.

After being presented to the members of both houses by President Cooney, Chairman Venne gave the State of the Tribal Nations address.

President Cooney thanked Chairman Venne for his address and presented him with sacred herbs. Darrin Old Coyote gave the benediction. The committee escorted Chairman Venne and guests from the Joint Session.

The Sergeants-at-Arms escorted the tribal leaders and guests from the Chamber.

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Senator Williams moved that the Joint Session convened to receive the State of the Tribal Nations be adjourned.
Joint Session adjourned at 1:53 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 1/30/2007

Correctly printed: **HB 174, HB 211, HB 255, 324.**

Correctly engrossed: **HB 26, HB 120, HB 210, HB 247, HB 251, HB 260, HB 274, HB 303, HB 312, HB 321, HB 329, HR 3.**

Correctly enrolled: **HB 1.**

Correctly enrolled: **HB 10, HB 42.**

Examined by the sponsor and found to be correct: **HB 1.** 1/31/2007

Examined by the sponsor and found to be correct: **HB 42.**

Signed by the Speaker at 12:10 p.m., January 31, 2007: **HB 1.** 1/31/2007

Delivered to the Secretary of State at 12:40 p.m., January 31, 2007: **HB 1.** 1/31/2007

Signed by the Speaker at 3:05 p.m., January 31, 2007: **HB 10, HB 42.** 1/31/2007

AGRICULTURE (Butcher, Chairman): 1/31/2007

HB 364, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AN ACCOUNT"

Insert: "ACCOUNTS AND A TRUST FUND"

2. Title, line 9.

Following: "WOLVES;"

Insert: "TRANSFERRING MONEY TO THE WOLF PREDATION MITIGATION AND REIMBURSEMENT TRUST FUND;"

3. Page 2, line 1.

Strike: "account"

Insert: "accounts"

4. Page 2, line 17.

Strike: "fish, wildlife, and parks"

Insert: "livestock"

5. Page 6, line 13.

Following: "reimbursement"

Strike: "account"

Insert: "accounts"

Following: "There"

Strike: "is a"

Insert: "are"

6. Page 6, line 14.

Following: "revenue"

Strike: "account"

Insert: "accounts"

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7. Page 6, line 15.

Following: "fund"

Insert: "and the federal special revenue fund"

8. Page 6, line 16.

Strike: "account"

Insert: "accounts"

9. Page 6, line 17.

Strike: "this account"

Insert: "the purposes of [sections 1 through 6]"

10. Page 6, line 21.

Strike: "account"

Insert: "accounts"

11. Page 6.

Following: line 23

Insert: "NEW SECTION. Section 6. Wolf predation mitigation and reimbursement trust fund. (1) The legislature shall provide for a fund, to be known as the wolf predation mitigation and reimbursement trust fund, to be funded as provided by law.

(2) The principal of the wolf predation mitigation and reimbursement trust fund shall forever remain inviolate in an amount of \$5 million unless appropriated by a vote of three-fourths of the members of each house of the legislature.

(3) The interest and income generated from the wolf predation mitigation and reimbursement trust fund must be deposited in the wolf predation mitigation and reimbursement state special revenue account provided for in [section 5]. The interest and income may be appropriated by a majority vote of each house of the legislature. Appropriations of the interest and income may be used only to fund the livestock loss reduction program and the livestock loss mitigation program as provided in [sections 2 and 3].

(4) (a) Until the principal of the fund reaches \$5 million, at the end of each biennium, any amount of interest and income from the trust fund that is not used for the livestock loss reduction program or the livestock loss mitigation program must be deposited in the trust fund as principal.

(b) After the principal of the trust fund reaches \$5 million, at the end of each biennium, any amount of interest and income that is not used for the livestock loss reduction program or the livestock loss mitigation program must be deposited in the general fund."

Insert: "NEW SECTION. Section 7. Funds transfer. There is transferred \$1 million from the general fund to the wolf predation mitigation and reimbursement trust fund for the purpose of funding the livestock loss reduction program and the livestock loss mitigation program as provided in [sections 2 and 3]."

Renumber: subsequent sections

12. Page 6, line 29.

Strike: "34" in two places

Insert: "31" in two places

13. Page 7, line 1.

Strike: "[Section 5] is"

Insert: "[Sections 5 and 6] are"

Strike: "87"

Insert: "81"

Strike: "2"

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Insert: "1"

14. Page 7, line 2.

Strike: "87"

Insert: "81"

Strike: "2"

Insert: "1"

Strike: "[section 5]"

Insert: "[sections 5 and 6]"

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

1/31/2007

HB 149, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "\$250,000"

Insert: "\$350,000"

2. Page 1, line 10.

Strike: "\$250,000"

Insert: "\$350,000"

And, as amended, do pass. Report adopted.

HB 257, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "ALL"

Insert: "SIMILARLY SITUATED"

Strike: "THE SAME"

Insert: "A SIMILAR"

2. Page 1, line 24.

Strike: ", including" through "15-30-101,"

3. Page 1, line 25.

Strike: "in the same manner as all other"

Insert: "by the department in a similar manner as all similarly situated"

And, as amended, do pass. Report adopted.

HB 362, do pass. Report adopted.

HB 470, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

1/31/2007

HB 316, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/30/2007

SB 10, introduced by Harrington

SB 12, introduced by Williams

SB 101, introduced by Jent

SB 175, introduced by Squires

SB 251, introduced by Larson

House bills concurred in and returned to the House:

1/30/2007

HB 10, introduced by Franklin

HB 42, introduced by McChesney

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 516, introduced by Hands, Erickson, referred to Appropriations.

HB 517, introduced by Branae, Moss, referred to Transportation.

HB 518, introduced by French, Henry, Grinde, referred to Appropriations.

HB 519, introduced by Kasten, French, Smith, referred to Appropriations.

HB 520, introduced by Arntzen, Heinert, L. Jones, McGillvray, Boggio, referred to State Administration.

HB 521, introduced by Arntzen, L. Jones, Heinert, Boggio, McGillvray, referred to Judiciary.

HB 522, introduced by Sinrud, referred to Appropriations.

HB 523, introduced by Sinrud, referred to Appropriations.

HB 524, introduced by Hamilton, Williams, referred to Local Government.

HB 525, introduced by Koopman, referred to Education.

HR 526, introduced by Groesbeck, Driscoll, Thomas, L. Jones, Ebinger, Olson, Koopman, Stahl, Jacobson, Klock, Gebhardt, Ryan, Gillan, Larson, Perry, Sesso, Ross, referred to Federal Relations, Energy, and Telecommunications.

HR 527, introduced by Musgrove, referred to Judiciary.

HR 528, introduced by Thomas, referred to State Administration.

HR 529, introduced by Lake, referred to Taxation.

HR 530, introduced by K. Peterson, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Phillips in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 287 - Representative Wiseman moved **HB 287** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin,

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McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Kasten.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 384 - Representative Rice moved **HB 384** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 293 - Representative Himmelberger moved **HB 293** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 56

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jore, Keane, Koopman, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 44

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 317 - Representative Sinrud moved **HB 317** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Phillips moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 83

Noes: Becker, Bergren, Bixby, Branae, Callahan, Cohenour, Dickenson, Erickson, Gallik, Jacobson, Keane, Raser, Sesso, Small-Eastman.
Total 14

Excused: None.
Total 0

Absent or not voting: Phillips, Villa, Wilson.
Total 3

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 75 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Gallik, Jore, Koopman.

Total 3

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

HB 83 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 91 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 90

Noes: Everett, Hawk, Ingraham, Jore, Kasten, Koopman, McGillvray, Rice, Ward, Mr. Speaker.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 162 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Barrett, Everett, Himmelberger, Ingraham, Jore, Koopman, Lake, Mendenhall, Rice, Ripley, Wells, Mr. Speaker.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 193 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson,

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Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Ward.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 269 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 286 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 27

Excused: None.

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Total 0

Absent or not voting: Cordier, Parker.

Total 2

HB 319 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Jore, Koopman.

Total 3

Excused: None.

Total 0

Absent or not voting: Franklin.

Total 1

HB 333 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte.

Total 77

Noes: Cohenour, Dickenson, Gallik, Hands, Hawk, Hendrick, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Sinrud, Stoker, Wells, Wilson, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Lange moved **HB 312** be rereferred back to the Committee on Judiciary for amendments. There being no objections, so ordered.

Majority Leader Lange moved **HB 293** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

Objection by Representative Scott Sales that **HB 255** was placed on the consent calender. The bill was placed on Second Reading.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, February 1, 2007. Motion carried. House adjourned at 2:50 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 1, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative McChesney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Democratic Caucus Leader Villa announced that the Democrats would caucus. Majority Leader Lange announced that the Republicans would stand at ease. The House reconvened at 1:30 p.m.

REPORTS OF STANDING COMMITTEES

Correctly printed: **HB 316, HB 362, HB 470.**

Correctly engrossed: **HB 149, HB 257, HB 364.**

Delivered to the Governor for approval at 3:45 p.m., January 31, 2007: **HB 10, HB 42.**

APPROPRIATIONS (Sinrud, Chairman):

2/1/2007

HB 44, do pass. Report adopted.

HB 90, introduced bill, be amended as follows:

1. Title, line 10.

Following: "SYSTEM;"

Insert: "AUTHORIZING THE CREATION OF STATE DEBT;"

2. Page 7, line 1.

Strike: "A"

Insert: "Until June 30, 2018, a"

3. Page 7, line 4.

Following: "the title."

Insert: "Beginning July 1, 2018, the fee for a new certificate of title under this subsection is \$5."

4. Page 7, line 7.

Strike: "\$10"

Insert: "\$5"

5. Page 7, line 20.

Following: "2018,"

Insert: "the fee imposed in subsection (1)(a)(i) is \$5 and the fee imposed in subsection (1)(a)(ii) is \$7 and"

6. Page 8, line 3.

Following: "2018,"

Insert: "the fee for a replacement certificate of title is \$5 and"

7. Page 9.

Following: line 4

Insert: "NEW SECTION. Section 9. Two-thirds vote required. Because [section 2] increases the amount that the department of justice can borrow from the board of investments to finance the cost of the motor vehicle technology

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system, authorizing the creation of state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each house of the legislature for passage."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 136, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AN"

Insert: "A STATUTORY"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "15-30-116"

Insert: "AND 17-7-502"

2. Page 1, line 14.

Strike: "\$12,000"

Insert: "\$100,000"

Strike: "designated"

Following: "beneficiary"

Insert: ", as provided in subsection (3),"

3. Page 1, line 23.

Following: "beneficiary"

Insert: ", as provided in subsection (3),"

4. Page 1, line 24.

Strike: "If" through the fourth "the" on line 24

Insert: "The"

5. Page 1, line 25.

Following: "member's"

Insert: "surviving spouse. If there is no surviving spouse, the department of administration shall pay the death benefit to the member's surviving children in equal shares. If there are no surviving children, the department of administration shall pay the death benefit to the member's"

6. Page 2, line 11.

Strike: "the designated"

Insert: "a"

7. Page 2, line 21.

Strike: "the designated"

Insert: "a"

8. Page 2.

Following: line 22

Insert: "**Section 3.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial

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legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; [section 4]; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

Renumber: subsequent sections

9. Page 2, line 24 through line 25.

Strike: section 3 in its entirety

Insert: "NEW SECTION. Section 4. Statutory appropriation. The payment to a beneficiary certified pursuant to [section 1] is statutorily appropriated, as provided in 17-7-502, from the general fund to the department of administration."

10. Page 2, line 27.

Strike: "[Section 1] is"

Insert: "[Sections 1 and 4] are"

11. Page 2, line 28.

Strike: "[section 1]"

Insert: "[sections 1 and 4]"

And, as amended, do pass. Report adopted.

HB 139, introduced bill, be amended as follows:

1. Page 4, line 9.

Following: "general fund"

Insert: "in fiscal year 2008"

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And, as amended, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):
HB 94, introduced bill, be amended as follows:

2/1/2007

1. Title, line 12.

Following: "75-11-505"

Insert: ", 75-11-512,"

2. Page 2, line 5.

Insert: "Section 2. Section 75-11-512, MCA, is amended to read:

"75-11-512. Administrative enforcement. (1) When the department believes that a violation of this part or a rule adopted under this part has occurred, it may serve written notice of the violation personally or by certified mail on the alleged violator or the violator's agent. The notice must specify the provision of this part or the rule alleged to be violated and the facts alleged to constitute a violation and may include an order to take necessary corrective action within a reasonable period of time stated in the order. The order becomes final unless, within 30 days after the notice is served, the person named requests, in writing, a hearing before the board. On receipt of the request, the board shall schedule a hearing. Service by mail is complete on the date of ~~mailing~~ receipt.

(2) If, after a hearing held under subsection (1), the board finds that a violation has occurred, it shall either affirm or modify the department's order. An order issued by the department or by the board may prescribe the date by which the violation must cease and may prescribe time limits for particular action. If, after hearing, the board finds that a violation has not occurred, it shall rescind the department's order.

(3) In addition to or instead of issuing an order pursuant to subsection (1), the department may:

(a) require the alleged violator to appear before the board or department, by subpoena or subpoena duces tecum, for a hearing at a time and place specified in the notice to answer the charges complained of or to provide information regarding the alleged violation or its actual or potential impact on the public health and welfare or the environment;

(b) initiate action under 75-11-513, 75-11-514, or 75-11-516; or

(c) assess administrative penalties and issue corrective action orders under 75-11-525.

(4) In the case of disobedience of any subpoena issued and served under this section or of the refusal of any witness to testify as to any material matter with regard to which the witness may be interrogated in a hearing or investigation before the board or the department, the board or department may apply to any district court in the state for an order to compel compliance with the subpoena or the giving of testimony. The court shall hear the matter as expeditiously as possible. If the disobedience or refusal is found to be unjustified, the court shall enter an order requiring compliance. Disobedience of the order is punishable by contempt of court in the same manner and by the same procedures as is provided for like conduct committed in the course of civil actions in district court.

(5) If a person fails to comply with an order issued pursuant to subsection (1) or (3) within the time allowed in the order, the department may enter the property on which the underground storage tank that is in violation is located and temporarily close the tank. If the department finds that permanent closure is necessary to prevent substantial environmental harm or because the owner or operator is unlikely to comply with the order, it may permanently close the tank.

(6) This section does not prevent the board or department from making efforts to obtain voluntary compliance through warning, conference, or any other appropriate means.""

Renumber: subsequent sections

3. Page 2, line 19.

Strike: "~~mailing~~"

Insert: "receipt"

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And, as amended, do pass. Report adopted.

HB 167, introduced bill, be amended as follows:

1. Page 2, line 26.

Strike: "and any other interested person"

Insert: ", citizens, solid waste and recycling industries, environmental organizations, and others involved or interested in the management of solid waste"

And, as amended, do pass. Report adopted.

HB 201, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "ALLOWING" on line 4 through "SET" on line 5

Insert: "SETTING"

Following: "OPERATIONS;" on line 5

Insert: "REQUIRING CERTAIN GOVERNMENTS TO PAY FEES;"

2. Title, page 1, line 8.

Following: "SECTIONS"

Insert: "82-4-405,"

3. Page 1, line 11.

Insert: "**Section 1.** Section 82-4-405, MCA, is amended to read:

"82-4-405. Inapplicability to government. ~~The~~ (1) Except as provided in subsection (2), the provisions of this part relating to fees or bonds do not apply to the federal government or its agencies, the state of Montana, counties, cities, or towns.

(2) A county that meets the requirements of subsection (3) as a growth county is subject to the provisions of this part relating to fees, but not those provisions relating to bonds.

(3) For the purposes of this section, a county is considered a growth county if:

(a) the county has a population greater than 30,000 at the time of the most recent federal decennial census or, in the interim between censuses, the most recent population estimates published by the bureau of the census, United States department of commerce; or

(b) the county has:

(i) a population greater than 15,000 at the time of the most recent federal decennial census or, in the interim between censuses, the most recent population estimates published by the bureau of the census, United States department of commerce; and

(ii) a population increase greater than 10% from the time of the prior decennial census or from the population estimate 10 years prior to the current estimate."

Renumber: subsequent sections

4. Page 1, line 20.

Strike: "and"

5. Page 1, line 22.

Following: "part"

Insert: "; and

(e) assess an annual fee on operators of all opencut-mining operations. The annual fee must be paid on all permitted acreage for which final bond release has not been granted. The annual fee is:

(i) \$75 if the permitted acreage is less than or equal to 25 acres;

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- (ii) \$150 if the permitted acreage is greater than 25 acres and less than or equal to 50 acres;
- (iii) \$300 if the permitted acreage is greater than 50 acres and less than or equal to 100 acres; and
- (iv) \$600 if the permitted acreage is greater than 100 acres"

6. Page 1, line 26.

Following: "and"

Insert: "and"

7. Page 1, line 27 through Page 2, line 3.

Strike: subsection (c) in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 259, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "AND"

2. Title, page 1, line 6.

Following: "SYSTEMS"

Insert: "; AMENDING SECTION 75-5-305, MCA; AND PROVIDING AN APPLICABILITY CLAUSE"

3. Page 1, line 10.

Strike: "through"

Insert: ", 2, and"

4. Page 1, line 12 through line 13.

Strike: line 12 through line 13 in their entirety

Renumber: subsequent subsections

5. Page 1, line 14.

Following: "wastewater"

Insert: "that is"

Following: "flow"

Insert: "and"

6. Page 1, line 16.

Following: "private"

Insert: ", single-family"

7. Page 1, line 20.

Strike: "floodway"

Insert: "flood plain"

8. Page 1, line 22 through line 29.

Strike: section 3 in its entirety

"Section 3. Section 75-5-305, MCA, is amended to read:

"75-5-305. Adoption of requirements for treatment of wastes -- variance procedure -- appeals. (1) The board may establish minimum requirements for the treatment of wastes. For cases in which the federal government

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has adopted technology-based treatment requirements for a particular industry or activity in 40 CFR, chapter I, subchapter N, the board shall adopt those requirements by reference. To the extent that the federal government has not adopted minimum treatment requirements for a particular industry or activity, the board may do so, through rulemaking, for parameters likely to affect beneficial uses, ensuring that the requirements are cost-effective and economically, environmentally, and technologically feasible. Except for the technology-based treatment requirements set forth in 40 CFR, chapter I, subchapter N, minimum treatment may not be required to address the discharge of a parameter when the discharge is considered nonsignificant under rules adopted pursuant to 75-5-301.

(2) (a) The board shall establish minimum requirements for the control and disposal of sewage from private and public buildings, including standards and procedures for variances from the requirements.

(b) For gray water reuse systems in private, single-family residences, the board shall establish rules that:

(i) limit the amount of gray water flow allowed by permit;

(ii) address the uses of gray water, including when and how gray water may be applied to land; and

(iii) include any other provisions that the board considers necessary to ensure that gray water reuse systems comply with laws and regulations and protect public health and the environment.

(3) An applicant for a variance from minimum requirements adopted by a local board of health pursuant to 50-2-116(1)(i) may appeal the local board of health's final decision to the department by submitting a written request for a hearing within 30 days after the decision. The written request must describe the activity for which the variance is requested, include copies of all documents submitted to the local board of health in support of the variance, and specify the reasons for the appeal of the local board of health's final decision.

(4) The department shall conduct a hearing on the request pursuant to Title 2, chapter 4, part 6. Within 30 days after the hearing, the department shall grant, conditionally grant, or deny the variance. The department shall base its decision on the board's standards for a variance.

(5) A decision of the department pursuant to subsection (4) is appealable to district court under the provisions of Title 2, chapter 4, part 7."

9. Page 2, line 1.

Strike: "[sections 2 and 3]"

Insert: "75-5-305 and [section 2]"

10. Page 2, line 5 through line 6.

Strike: section 5 in its entirety

Insert: "NEW SECTION. Section 5. Codification instruction. [Sections 1, 2, and 4] are intended to be codified as an integral part of Title 75, chapter 5, part 3, and the provisions of Title 75, chapter 5, part 3, apply to [sections 1, 2, and 4]."

Insert: "NEW SECTION. Section 6. Applicability. (1) [This act] applies to gray water systems that are installed after [the effective date of this act].

(2) [This act] and any rules or requirements adopted as a result of [this act] may not be imposed on a gray water system that was installed on or before [the effective date of this act]."

And, as amended, do pass. Report adopted.

HB 290, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/1/2007

HB 369, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

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2. Page 1.

Following: line 25

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on July 1, 2007."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/1/2007

HB 158, introduced bill, be amended as follows:

1. Title, line 6.

Following: "COMPANIES;"

Insert: "DEFINING "AUTHORIZED AGENT";"

2. Title, line 9.

Following: "SECTIONS"

Insert: "32-1-422, 35-1-113,"

Following: "35-2-1109,"

Insert: "35-8-102,"

3. Page 1, following line 12.

Insert: "**Section 1.** Section 32-1-422, MCA, is amended to read:

"32-1-422. Restriction on investment in corporate stock -- rulemaking authority. (1) Except as provided in subsections (2) and (3), a commercial or savings bank may not purchase or invest its capital or surplus or money of its depositors, or any part of its capital or surplus or money of its depositors, in the capital stock of any corporation unless the purchase or acquisition of capital stock is necessary to prevent loss to the bank on a debt previously contracted in good faith. Any capital stock purchased or acquired to prevent the loss must be sold by the bank within 6 months after purchase or acquisition if it can be sold for the amount of the claim of the bank against it. All capital stock purchased or acquired must be sold for the best price obtainable by the bank within 1 year after purchase or acquisition, or if the stock is unmarketable, it must be charged off as an investment loss, which is equivalent to the stock's sale. A person or corporation violating any provision of this section shall forfeit to the state twice the nominal amount of the stock.

(2) A bank may acquire and hold for its own account:

(a) up to 20% of its capital and surplus in the capital stock of a bank service corporation organized solely for the purpose of providing services to banks;

(b) shares of stock of a federal reserve bank and a federal home loan bank, without limitation of amount;

(c) shares of stock in a Montana capital company or a Montana small business investment capital company within limits prescribed by the Montana Capital Company Act; and

(d) shares of stock or financial interests in an affiliate or a subsidiary, the business activities of which are limited to those allowed by law for a bank.

(3) A bank may invest any amount up to the limit established by the department of its unimpaired capital and surplus in shares of stock of:

(a) the federal national mortgage association;

(b) the federal home loan mortgage corporation;

(c) the federal agricultural mortgage corporation; and

(d) other corporations created pursuant to acts of congress to meet the agricultural, housing, health, transit, educational, environmental, or similar needs of the nation when the department determines that the investment is in the public interest.

(4) A bank may, upon written application and approval of the department, make an investment in an amount permitted by the department by rule so long as the investment serves primarily to promote the public welfare, including the welfare of low- and moderate-income families and communities in need of jobs, housing, and public services. A bank may also, with the department's approval, purchase interests in an entity, as defined in 35-1-113(9),

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that makes investments for similar public welfare purposes.

(5) The department shall adopt rules to implement this section. The rules pertaining to the investments allowed in subsection (4) may be substantially equivalent to or more stringent than the eleventh power provided for in 12 U.S.C. 24 and the policy guidelines on community development issued by the office of the comptroller of the currency."

Insert: "Section 2. Section 35-1-113, MCA, is amended to read:

"35-1-113. Definitions. As used in this chapter, the following definitions apply:

(1) "Articles of incorporation" include amended and restated articles of incorporation and articles of merger.

(2) "Authorized agent" means any individual granted permission by an entity to execute a document on behalf of the entity. The entity is responsible for maintaining a record of the permission granted to an authorized agent.

~~(2)~~(3) "Authorized shares" means the shares of all classes that a domestic or foreign corporation is authorized to issue.

~~(3)~~(4) "Conspicuous" means written so that a reasonable person against whom the writing is to operate should have noticed it. For example, printing in italics, boldface, or contrasting color or typing in capitals or underlining is conspicuous.

~~(4)~~(5) "Corporation" or "domestic corporation" means a corporation for profit that is not a foreign corporation and that is incorporated under or subject to the provisions of this chapter.

~~(5)~~(6) "Deliver" includes mail.

~~(6)~~(7) "Distribution" means a direct or indirect transfer of money or other property, except its own shares, or an incurrence of indebtedness, by a corporation to or for the benefit of its shareholders in respect of any of its shares. A distribution may be in the form of a declaration or payment of a dividend; a purchase, redemption, or other acquisition of shares; a distribution of indebtedness; or other form.

~~(7)~~(8) "Effective date of notice" means the date determined as provided in 35-1-116.

~~(8)~~(9) "Employee" includes an officer but not a director. A director may accept duties that make that director an employee.

~~(9)~~(10) "Entity" includes:

(a) a corporation and a foreign corporation;

(b) a not-for-profit corporation;

(c) a profit and a not-for-profit unincorporated association;

(d) a business trust, estate, partnership, trust, and two or more persons having a joint or common economic interest; and

(e) a state, the United States, or a foreign government.

~~(10)~~(11) "Foreign corporation" means a corporation for profit incorporated under a law other than the law of this state.

~~(11)~~(12) "Governmental subdivision" includes an authority, county, district, and city or town.

~~(12)~~(13) "Includes" denotes a partial definition.

~~(13)~~(14) "Individual" includes the estate of an incompetent or deceased individual.

~~(14)~~(15) "Means" denotes an exhaustive definition.

~~(15)~~(16) "Notice" means notice as provided in 35-1-116.

~~(16)~~(17) "Person" includes an individual and an entity.

~~(17)~~(18) "Principal office" means the office, whether in-state or out-of-state, that is designated in the annual report as the office where the principal executive offices of a domestic or foreign corporation are located.

~~(18)~~(19) "Proceeding" includes a civil suit and a criminal, administrative, and investigatory action.

~~(19)~~(20) "Record date" means the date established under 35-1-535, 35-1-618 through 35-1-630, and 35-1-712 or under 35-1-516 through 35-1-533 and 35-1-541 through 35-1-548 on which a corporation determines the identity of its shareholders and their shareholdings for purposes of this chapter. The determination must be made as of the close of business on the record date unless another time for determination is specified when the record date is fixed.

~~(20)~~(21) "Secretary" means the corporate officer to whom the board of directors has delegated responsibility under 35-1-441 for custody of the minutes of the meetings of the board of directors, for custody of the minutes of the shareholders' meetings, and for authenticating records of the corporation.

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~~(21)~~(22) "Share" means the unit into which the proprietary interests in a corporation are divided.

~~(22)~~(23) "Shareholder" means the person in whose name shares are registered in the records of a corporation or the beneficial owner of shares to the extent of the rights granted by a nominee certificate on file with a corporation.

~~(23)~~(24) "State", when referring to a part of the United States, includes a state, commonwealth, territory, or insular possession of the United States and the agencies and governmental subdivisions of the entities listed.

~~(24)~~(25) "Subscriber" means a person who subscribes for shares in a corporation, whether before or after incorporation.

~~(25)~~(26) "United States" includes a district, an authority, a bureau, a commission, a department, and any other agency of the United States.

~~(26)~~(27) "Voting group" means shares of one or more classes or series that under the articles of incorporation of this chapter are entitled to vote and be counted together collectively on a matter at a meeting of shareholders. All shares entitled by the articles of incorporation or this chapter to vote generally on the matter are for that purpose a single voting group."

Renumber: subsequent sections

4. Page 2, line 3.

Strike: "registered"

Insert: "authorized"

5. Page 4, line 21.

Following: "(b)"

Insert: "(i)"

6. Page 4, line 22.

Strike: "registered"

Insert: "authorized"

7. Page 4, following line 22.

Insert: "(ii) For the purposes of this subsection (5)(b) "authorized agent" means any individual granted permission by an entity to execute a document on behalf of the entity. The entity is responsible for maintaining a record of the permission granted to an authorized agent."

8. Page 5, following line 25.

Insert: "**Section 8.** Section 35-8-102, MCA, is amended to read:

"35-8-102. Definitions. As used in this chapter, unless the context requires otherwise, the following definitions apply:

(1) "Articles of organization" means articles filed pursuant to 35-8-201 and those articles as amended or restated. In the case of a foreign limited liability company, the term includes all records serving a similar function required to be filed under the laws of the state or country where it is organized.

(2) "At-will company" means a limited liability company other than a term company.

(3) "Authorized agent" means any individual granted permission by an entity to execute a document on behalf of the entity. The entity is responsible for maintaining a record of the permission granted to an authorized agent.

~~(3)~~(4) "Business" includes every trade, occupation, profession, or other lawful purpose, whether or not carried on for profit.

~~(4)~~(5) "Corporation" means a corporation formed under the laws of this state or a foreign corporation.

~~(5)~~(6) "Court" includes every court having jurisdiction in the case.

~~(6)~~(7) "Debtor in bankruptcy" means a person who is the subject of an order for relief under Title 11 of the United States Code or a comparable order under federal, state, or foreign law governing insolvency.

~~(7)~~(8) "Disqualified person" means any person or entity that for any reason is or becomes ineligible under this chapter to become a member in a professional limited liability company.

~~(8)~~(9) "Distribution" means a transfer of money, property, or other benefit to a member in that member's

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capacity as a member of a limited liability company or to a transferee of a member's distributional interest.

~~(9)~~(10) "Distributional interest" means all of a member's interest in the distributions of a limited liability company.

~~(10)~~(11) "Event of dissociation" means an event that causes a person to cease to be a member.

~~(11)~~(12) "Foreign corporation" means a corporation that is organized under the laws of a state other than Montana or under the laws of any foreign country.

~~(12)~~(13) "Foreign limited liability company" means an entity that is:

(a) an unincorporated entity;

(b) organized under laws of a state other than Montana or under the laws of any foreign country;

(c) organized under a statute pursuant to which an entity may be formed that affords to each of its members limited liability with respect to the liabilities of the entity; and

(d) not required to be registered or organized under any statute of this state other than this chapter.

~~(13)~~(14) "Foreign limited partnership" means a limited partnership formed under the laws of any state other than Montana or under the laws of any foreign country.

~~(14)~~(15) "Foreign professional limited liability company" means a limited liability company organized for the purpose of rendering professional services under the laws of any state other than Montana.

~~(15)~~(16) "Licensing authority" means an officer, board, agency, court, or other authority in this state that has the power to issue a license or other legal authorization to render a professional service.

~~(16)~~(17) "Limited liability company" or "domestic limited liability company" means an organization that is formed under this chapter.

~~(17)~~(18) "Limited partnership" means a limited partnership formed under the laws of this state or a foreign limited partnership.

~~(18)~~(19) "Manager" means a person who, whether or not a member of a manager-managed company, is vested with authority under 35-8-301.

~~(19)~~(20) "Manager-managed company" means a limited liability company that is so designated in its articles of organization.

~~(20)~~(21) "Member" means a person who has been admitted to membership in a limited liability company, as provided in 35-8-703, and who has not dissociated from the limited liability company.

~~(21)~~(22) "Member-managed company" means a limited liability company other than a manager-managed company.

~~(22)~~(23) "Operating agreement" means an agreement, including amendments, as to the conduct of the business and affairs of a limited liability company and the relations among the members, managers, and the company that is binding upon all of the members.

~~(23)~~(24) "Person" means an individual, a general partnership, a limited partnership, a domestic or foreign limited liability company, a trust, an estate, an association, a corporation, or any other legal or commercial entity.

~~(24)~~(25) "Professional limited liability company" means a limited liability company designating itself as a professional limited liability company in its articles of organization.

~~(25)~~(26) "Professional service" means a service that may lawfully be rendered only by persons licensed under a licensing law of this state and that may not be lawfully rendered by a limited liability company that is not a professional limited liability company.

~~(26)~~(27) "Qualified person" means a natural person, limited liability company, general partnership, or professional corporation eligible under this chapter to own shares issued by a professional limited liability company.

~~(27)~~(28) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is recoverable in a perceivable form.

~~(28)~~(29) "Sign" means to identify a record by means of a signature, mark, or other symbol with the intent to authenticate it.

~~(29)~~(30) "State" means a state, territory, or possession of the United States, the District of Columbia, or the Commonwealth of Puerto Rico.

~~(30)~~(31) "Surviving limited liability company" means the constituent entity surviving the merger, as identified in the articles of merger provided for in 35-8-1201.

~~(31)~~(32) "Term company" means a limited liability company designated as a term company in its articles of

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organization."

Renumber: subsequent sections

9. Page 6, line 21.

Strike: "registered"

Insert: "authorized"

Following: "agent"

Strike: "and" through "report"

10. Page 7, line 7.

Following: "for"

Insert: "physical"

And, as amended, do pass. Report adopted.

HB 358, do pass. Report adopted.

HB 390, do pass. Report adopted.

HB 409, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "DEALERS"

Insert: "MANUFACTURERS"

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/1/2007

HJR 6, be adopted. Report adopted.

EDUCATION (Jore, Chairman): 2/1/2007

HB 347, introduced bill, be amended as follows:

1. Title, line 6.

Following: " ; "

Strike: "AND"

2. Title, line 7.

Following: "MCA"

Insert: " ; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE "

3. Page 2, line 1 through line 2.

Following: "exceeds" on line 1

Strike: " ; " through "(i)" on line 2

4. Page 2, line 2 through line 4.

Following: "\$50,000" on line 2

Strike: remainder of line 2 through "district" on line 4

5. Page 3, line 4.

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

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And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

1/31/2007

SB 25, introduced by Larson

SB 32, introduced by Schmidt

SB 67, introduced by Wanzenried

SB 143, introduced by Shockley

SB 214, introduced by Lewis

SB 227, introduced by Laslovich

SB 282, introduced by Lind

SJR 2, introduced by Smith

House bill concurred in and returned to the House:

1/31/2007

HB 41, introduced by Augare

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 531, introduced by Lambert, McChesney, Bixby, referred to Transportation.

HB 532, introduced by Jacobson, referred to State Administration.

HB 533, introduced by Ankney, Larson, Olson, McChesney, Lange, referred to Taxation.

HB 534, introduced by Erickson, Hands, Wilson, referred to Judiciary.

HB 535, introduced by Furey, referred to Local Government.

HB 536, introduced by Becker, Lewis, Cocchiarella, Gillan, Stoker, referred to Human Services.

HB 537, introduced by Ripley, L. Jones, Glaser, Musgrove, referred to Agriculture.

HB 538, introduced by Villa, referred to Business and Labor.

HB 539, introduced by Groesbeck, Thomas, Hiner, Sesso, Jopek, Villa, Noonan, Keane, Windy Boy, referred to Appropriations.

HB 540, introduced by Groesbeck, Noonan, Dickenson, Cordier, Small-Eastman, Branae, Lambert, Hiner, Heinert, Villa, Vincent, Ward, MacLaren, Bergren, Jacobson, Jopek, McNutt, Parker, Keane, Henry, Sesso, Hamilton, McChesney, Stahl, L. Jones, Windy Boy, Bixby, referred to Appropriations.

HB 541, introduced by Musgrove, Gillan, Harrington, Van Dyk, W. Jones, Grinde, K. Peterson, Hands, Branae, Becker, Cocchiarella, Keane, Blasdel, Jopek, Sonju, Everett, Ingraham, Caferro, referred to Appropriations.

HB 542, introduced by Gallik, referred to Business and Labor.

HB 543, introduced by Gallik, referred to Judiciary.

HB 544, introduced by Olson, Brueggeman, Hollenbaugh, Jent, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 120 - Representative Henry moved **HB 120** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Koopman.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 171 - Representative Hamilton moved **HB 171** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 67

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Kasten, Kerns, Lake, Lambert, McGillvray, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 210 - Representative K. Peterson moved **HB 210** do pass. Motion failed follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 225 - Representative Koopman moved **HB 225** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 56

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 247 - Representative Windy Boy moved **HB 247** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Dutton, Hilbert, Jore, Keane, Malcolm, Peterson.

Total 7

Excused: None.

Total 0

Absent or not voting: Himmelberger.

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Total 1

HB 251 - Representative Stoker moved **HB 251** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

HB 260 - Representative Reinhart moved **HB 260** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Boggio, Kasten.

Total 2

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

HB 281 - Representative McGillvray moved **HB 281** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr.

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Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Madam Chair Raser moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Boggio, Clark, Dickenson, Dutton, Ebinger, Everett, French, Glaser, Grinde, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 59

Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Driscoll, Erickson, Franklin, Furey, Gallik, Groesbeck, Hamilton, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Musgrove, Small-Eastman, Villa, Wiseman.
Total 24

Excused: None.
Total 0

Absent or not voting: Arntzen, Blasdel, Butcher, Campbell, Hands, McAlpin, McChesney, McNutt, O'Hara, Peterson, Raser, Sesso, Taylor, Thomas, Van Dyk, Ward, Wilson.
Total 17

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 287 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 317 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 384 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Bergren moved that **HB 100** be taken from the table in the Committee on Taxation and be placed on 2nd Reading. Motion failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

HB 512, introduced by L. Jones, the following sponsors were added:

Reps. Ankney, Arntzen, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Heinert, Hilbert, W. Jones, Klock, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Rice, Ripley, Small-Eastman, Stahl, Stoker, Vincent, Witte. Senators Bales, Black, Brueggeman, Cobb, Laible, Murphy, Perry.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, February 2, 2007. Motion carried.

House adjourned at 3:36 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 2, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Witte. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fourth, fifth, and sixth legislative days, find the same to be correct.

L. Jones, Chair

Representative Wiseman moved to suspend the rules to sing happy birthday to Dania Jones, daughter of Representative L. Jones. There being no objections, so ordered.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

2/2/2007

Correctly printed: **HB 41, HB 44, HB 290, HB 358, HB 390.**

Correctly engrossed: **HB 90, HB 94, HB 136, HB 139, HB 167, HB 201, HB 259, HB 347.**

Correctly enrolled: **HB 41.**

Signed by the Speaker at 11:41 a.m., February 2, 2007: **HB 41.**

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

2/2/2007

HB 199, introduced bill, be amended as follows:

1. Title, line 9.

Following: "STATE"

Insert: "MAY"

2. Page 2, line 1.

Following: "donor"

Strike: "must"

Insert: "may, at the donor's option,"

And, as amended, do pass. Report adopted.

HB 264, introduced bill, be amended as follows:

1. Title, line 4.

Following: "BOAT"

Insert: "OR THE SHORE IN A LAKE OR RESERVOIR"

2. Page 1, line 15.

Following: "boat"

Insert: "or the shore in a lake or reservoir"

3. Page 1, line 16.

Following: "control"

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Insert: " , in accordance with rules that the commission shall adopt"
And, as amended, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):
HB 148, introduced bill, be amended as follows:

2/1/2007

1. Page 1, line 30.

Strike: "aquatic therapy or"

2. Page 2, line 7.

Following: "pool"

Insert: "that is"

Following: "bathing"

Strike: "or therapeutic use"

3. Page 2, line 8 through page 2, line 9.

Strike: "therapeutic pool" on page 2, line 8 through "whirlpool," on page 2, line 9

Following: "hot tub" on line 9

Strike: ", "

And, as amended, do pass. Report adopted.

HB 154, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "53-20-102,"

Insert: "53-20-112,"

2. Page 3, line 16.

Following: line 15

Insert: "**Section 2.** Section 53-20-112, MCA, is amended to read:

"53-20-112. Procedural rights -- appointment of counsel. (1) A respondent has all the rights accorded to a person subject to involuntary commitment proceedings under the laws of this state relating to involuntary commitment of a person who suffers from a mental disorder and who requires commitment, as provided in 53-21-115 through 53-21-118.

(2) In addition, the parents or guardian of a respondent ~~have~~ has the right to:

(a) be present at any hearing held pursuant to this part;

(b) be represented by counsel in any hearing;

(c) offer evidence and cross-examine witnesses in any hearing; and

(d) have the respondent examined by a professional of ~~their~~ the parents' or guardian's choice when a professional is reasonably available; unless the person chosen is objected to by the respondent or by a responsible person appointed by the court.

(3) Upon receipt of a petition for commitment, recommitment, or emergency commitment, the court shall order the office of the state public defender, provided for in 47-1-201, to assign counsel for the respondent. If the parents are indigent and if the parents request it or if the guardian is indigent and the guardian requests it, the court shall order the office of state public defender to assign counsel for the parents or guardian pending a determination of indigence pursuant to 47-1-111."

Renumber: subsequent sections

3. Page 4, line 28 through page 4, line 30.

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Following: "(4)" on line 28

Strike: "A copy" on page 4, line 28 through "of filing." on page 4, line 30

Insert: "The county attorney shall immediately mail a copy of the petition to the residential facility screening team, the respondent's parents or guardian, if any, and the respondent's counsel. The county attorney shall ensure that the petition is promptly hand-delivered to the respondent."

4. Page 5, lines 18 through 22.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

5. Page 6, line 6.

Following: "subsection"

Strike: "(5)"

Insert: "(4)"

6. Page 9, line 12.

Following: "bodily"

Strike: "harm"

Insert: "injury, as defined in 45-2-101"

7. Page 10, line 3.

Following: "bodily"

Strike: "harm"

Insert: "injury, as defined in 45-2-101"

8. Page 12, line 13.

Following: "bodily"

Strike: "harm"

Insert: "injury, as defined in 45-2-101"

9. Page 13, line 23.

Strike: "2 and 11"

Insert: "3 and 12"

10. Page 13, line 24.

Strike: "2"

Insert: "3"

11. Page 13, line 25.

Strike: "11"

Insert: "12"

And, as amended, do pass. Report adopted.

HB 278, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/1/2007

HB 272, introduced bill, be amended as follows:

1. Title, line 5.

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Following: "SEXUAL"
Insert: "OFFENDER"
Following: "OR"
Insert: "A"

2. Title, line 6.
Following: "SEXUAL"
Insert: "OFFENDER"
Following: "OR"
Insert: "A"
Strike: "3 YEARS"
Insert: "YEAR"

3. Page 1, line 29.
Strike: "3 years"
Insert: "year"

4. Page 2, line 23.
Strike: "3 years"
Insert: "year"

5. Page 3, line 5.
Following: "46-23-509"
Insert: "or is a violent offender"
And, as amended, do pass. Report adopted.

HB 341, do pass. Report adopted.
HB 353, do pass. Report adopted.
HB 361, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "CITIZEN"
Insert: "MEMBER OF THE ARMED FORCES OF THE UNITED STATES ON FEDERAL ACTIVE DUTY OR
A RESIDENT OF THE UNITED STATES"

2. Page 2, lines 6 and 7.
Strike: "citizen" on line 6 through "upon" on line 7
Insert: "member of the armed forces of the United States on federal active duty or a resident of the United States at
the time of"

3. Page 2, line 8.
Following: " _ "
Insert: "For the purposes of this subsection, residency must be determined in accordance with 1-1-215."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 300, introduced bill, be amended as follows:

2/2/2007

1. Title, line 6 through line 7.

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Strike: "REQUIRING" on line 6 through "STATEMENT;" on line 7

2. Page 2, line 10 through line 11.

Strike: subsection (c) in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/1/2007

SB 4, introduced by Harrington

SB 81, introduced by Schmidt

SB 89, introduced by Williams

SB 159, introduced by Harrington

SB 185, introduced by Hawks

SB 248, introduced by Story

Correctly engrossed: **HB 1, HB 154, HB 199, HB 264, HB 272, HB 300.** 2/2/2007

MESSAGES FROM THE GOVERNOR

February 2, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 1** sponsored by Representative Sinrud, **House Bill 10** sponsored by Representative Franklin, and **House Bill 42** sponsored by Representative McChesney on February 2, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 545, introduced by Phillips, referred to Taxation.

HB 546, introduced by Phillips, Wilmer, Pomnichowski, Sesso, Hollenbaugh, Wiseman, referred to Transportation.

HB 547, introduced by Sinrud, Parker, Sales, referred to State Administration.

HB 548, introduced by Himmelberger, referred to Judiciary.

HB 549, introduced by Himmelberger, referred to Judiciary.

HB 550, introduced by Bixby, referred to Judiciary.

HB 551, introduced by Becker, Villa, Gillan, Himmelberger, Wilmer, Morgan, Arntzen, referred to Appropriations.

HB 552, introduced by Erickson, referred to Taxation.

HB 553, introduced by Callahan, Musgrove, Sesso, referred to Business and Labor.

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HB 554, introduced by Cohenour, referred to Judiciary.

HB 555, introduced by Grinde, Cordier, Villa, Erickson, Jacobson, Hamilton, Cohenour, Raser, Driscoll, Henry, Branae, referred to Natural Resources.

HB 556, introduced by McChesney, referred to Transportation.

HB 557, introduced by Heinert, L. Jones, Jackson, Gebhardt, Everett, McNutt, Blasdel, referred to Natural Resources.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 26, introduced by Callahan, Raser, Hiner, Rice, Weinberg, W. Jones, Parker, McGee, Grinde, Stoker, Bergren, Ward, Gallus, Williams, Jopek, Bixby, Groesbeck, Hendrick, Campbell, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vincent in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 149 - Representative Jopek moved **HB 149** do pass.

HB 149 - Representative Wiseman moved **HB 149**, second reading copy, be amended.

Amendment failed as follows:

Ayes: Augare, Barrett, Bergren, Bixby, Caferro, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jore, Kottel, McAlpin, McGillvray, Noonan, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 41

Noes: Ankney, Arntzen, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Erickson, Everett, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 59

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 149 - The motion to pass **HB 149** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Peterson.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 174 - Representative Lambert moved **HB 174** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Beck, Butcher, Callahan, Hawk, Hiner, Mendenhall, Peterson, Sonju.

Total 8

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 255 - Representative Clark moved **HB 255** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 - Representative Lake moved **HB 257** do pass.

HB 257 - Representative Bergren moved **HB 257**, second reading copy, be amended.

Amendment failed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 - The motion to pass **HB 257** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 322 - Representative Sinrud moved **HB 322** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Bixby, Campbell, Jopek.
Total 3

Excused: None.
Total 0

Absent or not voting: Stoker.
Total 1

HB 470 - Representative Olson moved **HB 470** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

HJR 5 - Representative Lange moved **HJR 5** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh,

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Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Driscoll, Everett, Groesbeck, Hawk, Taylor.

Total 5

Excused: None.

Total 0

Absent or not voting: Becker.

Total 1

HR 3 - Representative Lange moved **HR 3** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Blasdel, Dutton, Everett, Hawk, Himmelberger, Jore, Koopman, McGillvray, Mendenhall, Ripley, Ross, Taylor.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Vincent moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

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Noes: Becker, Bergren, Dickenson.
Total 3

Excused: None.
Total 0

Absent or not voting: Arntzen, Bixby, Driscoll, Franklin, Gallik, Jayne, Sonju, Wilmer.
Total 8

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 120 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Jore, Koopman, Wells.
Total 3

Excused: None.
Total 0

Absent or not voting: Beck, Sands.
Total 2

HB 171 passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 73

Noes: Ankney, Barrett, Beck, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Kasten, Kerns, Lake, McGillvray, Mendenhall, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Mr. Speaker.
Total 27

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 225 passed as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 59

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy.

Total 40

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

HB 247 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Dutton, Hilbert, Himmelberger, Jore, Malcolm, Sonju.

Total 7

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 251 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 260 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Boggio, Kasten.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 281 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved **HB 174**, introduced by Lambert, be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 387, introduced by Caferro, the following sponsors were added:

Reps. Ankney, Augare, Becker, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

HB 551, introduced by Becker, the following sponsors were added:

Reps. Branae, Campbell, Driscoll, Glaser, Grinde, Lambert, Lange, McGillvray, Small-Eastman, Thomas, Van Dyk, Senator Moss.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 3, 2007. Motion carried.

House adjourned at 2:25 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 3, 2007

House Chambers
State Capitol

House convened at 8:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Everett and Witte, who were excused. Quorum present.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/2/2007

SB 11, introduced by Cocchiarella
SB 116, introduced by Brueggeman
SB 208, introduced by M. Tropila
SB 228, introduced by Laslovich
SB 237, introduced by Brueggeman
SB 239, introduced by Balyeat

REPORTS OF STANDING COMMITTEES

Correctly printed: **HB 278, HB 341, HB 353.**

2/2/2007

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 558, introduced by Wilmer, Van Dyk, Augare, Phillips, Erickson, Hands, Wiseman, Reinhart, Driscoll, referred to Federal Relations, Energy, and Telecommunications.

HB 559, introduced by Heinert, Vincent, W. Jones, L. Jones, Lambert, Curtiss, Jackson, McNutt, referred to Taxation.

HB 560, introduced by McAlpin, Franklin, Kottel, Augare, Reinhart, Cordier, Dickenson, Windy Boy, Henry, Villa, Bixby, Phillips, Cohenour, Wiseman, Furey, Caferro, Erickson, Hamilton, Raser, Becker, Parker, Jopek, Sesso, Groesbeck, Wilmer, Hollenbaugh, Ebinger, Noonan, referred to Natural Resources.

HB 561, introduced by Musgrove, referred to Appropriations..

HB 562, introduced by Grinde, Villa, Henry, Branae, Jacobson, Small-Eastman, Bergren, Dickenson, French, referred to State Administration.

HB 563, introduced by W. Jones, referred to Judiciary.

HB 564, introduced by McGillvray, Sales, Lange, Rice, Himmelberger, Barrett, Lake, referred to Taxation.

HB 565, introduced by K. Peterson, Brueggeman, McNutt, Jackson, Gebhardt, Heinert, referred to Business and Labor.

HB 566, introduced by Hollenbaugh, Thomas, Hamilton, Caferro, Augare, Juneau, referred to Appropriations.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 27, introduced by Lambert, referred to Fish, Wildlife and Parks.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 149 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Peterson.
Total 1

Voted Absentee: Everett, Witte, Ayes.

Excused: None.
Total 0

Absent or not voting: Hamilton, Ward.
Total 2

HB 255 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Everett, Witte, Ayes.

Excused: None.
Total 0

Absent or not voting: Hamilton.
Total 1

HB 257 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake,

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Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 47

Voted Absentee: Everett, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: Hamilton.

Total 1

HB 322 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Everett, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: Hamilton.

Total 1

HB 470 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Everett, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: Hamilton.

Total 1

HJR 5 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Dickenson, Driscoll, Hawk, Taylor.

Total 4

Voted Absentee: Everett, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: Hamilton.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Barrett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 44 - Representative McChesney moved **HB 44** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Everett, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 53 - Representative Bixby moved **HB 53** do pass. Motion **failed** as follows:

Ayes: Ankney, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 49

Noes: Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 51

Voted Absentee: Everett, Ward, Witte, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 - Representative Van Dyk moved **HB 94** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 136 - Representative Milburn moved **HB 136** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 98

Noes: Everett, Witte.

Total 2

Voted Absentee: Ward, Aye; Everett, Witte, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 158 - Representative L. Jones moved **HB 158** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 100

Noes: None.

Total 0

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 211 - Representative Windy Boy moved **HB 211** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Boggio.

Total 1

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 274 - Representative Mendenhall moved **HB 274** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 316 - Representative Sinrud moved **HB 316** do pass.

HB 316 - Representative Dickenson moved to amend **HB 31**. The motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 44

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 56

Voted Absentee: Everett, Ward, Witte, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 316 - The motion to pass **HB 316** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 86

Noes: Augare, Becker, Bixby, Caferro, Callahan, Dickenson, Franklin, Furey, Gallik, Grinde, McAlpin, Phillips, Wiseman.

Total 13

Voted Absentee: Everett, Ward, Witte, Ayes.

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Excused: None.
Total 0

Absent or not voting: Vincent.
Total 1

HB 210 - Representative Peterson moved **HB 210** do pass.

HB 210 - Representative K. Peterson moved **HB 210**, second reading copy, be amended as follows:

1. Page 1, lines 14 and 15.

Strike: ". One board member and one auxiliary member"

Insert: ", each of whom"

2. Page 1, lines 20 and 21.

Strike: "The" on line 20 through " " on line 21

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

Noes: Augare, Campbell, Franklin, Jore, McAlpin, Rice, Small-Eastman, Mr. Speaker.

Total 8

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: Bixby, Sands.

Total 2

HB 210 - The motion to pass **HB 210** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 321 - Representative McGillvray moved **HB 321** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 58

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Stahl, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 42

Voted Absentee: Everett, Ward, Witte, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Madam Chair Barrett moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dutton, Erickson, French, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilson, Windy Boy, Mr. Speaker.

Total 65

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Franklin, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Musgrove, Noonan, Parker, Raser,

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Sands, Sesso, Small-Eastman, Stahl, Villa, Wilmer, Wiseman.
Total 30

Excused: Everett, Ward, Witte.
Total 3

Absent or not voting: Barrett, Ebinger.
Total 2

MOTIONS

Majority Leader Lange moved **HB 488** be rereferred to the Committee on Taxation. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 359, introduced by Jopek, the following sponsors were added:
Reps. Becker, Boggio, Butcher, Everett, Franklin, Heinert, Henry, Himmelberger, Hiner, L. Jones, Bill Jones, Koopman, Nooney, Rice, Sands, Van Dyk.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, February 5, 2007. Motion carried.

House adjourned at 11:07 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 5, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Butcher. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventh, eighth, and ninth legislative days, find the same to be correct.

L. Jones, Chair

Mr. Speaker introduced the pages of the week:

Pages:	Heidi Hunsucker, Polson
	Kyle Ransom, Great Falls
	Ashley Vega, Butte
	Matt Petesch, Billings
	Katie Barnard, Hindsdale
	Dylan Stauffer, Butte
	Jackson Northway, Ennis
	Cody Dutton, Billings

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):	2/2/2007
Correctly enrolled: HR 3 .	
Examined by the sponsor and found to be correct: HR 3 .	2/5/2007
Signed by the Speaker at 1:30 p.m., February 5, 2007: HR 3 .	2/5/2007
Delivered to the Secretary of State at 2:05 a.m., February 5, 2007: HR 3 .	
Correctly engrossed: HB 387, HB 485 .	

EDUCATION (Jore, Chairman):	2/2/2007
HB 195 , do pass. Report adopted.	

HB 357 , introduced bill, be amended as follows:	2/5/2007
---------------------------------------------------------	----------

1. Title, line 4 through line 8.

Strike: "EXTENDING" on line 4 through "VENDOR;" on line 8

2. Title, line 9.

Following: "VENDORS;"

Insert: "AND"

Strike: "SECTIONS 18-5-402, 18-5-406, AND"

Insert: "SECTION"

3. Title, line 9 through line 10.

Strike: "; AND REPEALING" on line 9 through "MCA" on line 10

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4. Page 1, line 14 through page 2, line 22.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

5. Page 3, line 10.

Strike: section 4 in its entirety

And, as amended, do pass. Report adopted.

HB 363, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/5/2007

HB 292, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/5/2007

HB 485, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: "(1)"

Strike: "A"

Insert: "Except as provided in subsection (3), a"

2. Page 1, line 11.

Strike: "any words or symbols or"

3. Page 1.

Following: line 21

Insert: "(3) Nothing in this section prohibits a person who is employed as a qualified social worker pursuant to Title 42 of the Code of Federal Regulations from representing to the public that the person is a social worker."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

2/3/2007

SB 74, introduced by Jent

SB 136, introduced by J. Tropila

SB 161, introduced by Laible

SB 177, introduced by Squires

SB 181, introduced by Cobb

SB 193, introduced by Laslovich

SB 205, introduced by Jent

MESSAGES FROM THE GOVERNOR

February 5, 2007

The Honorable Scott Sales

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 41** sponsored by Representative Augare on February 5, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 567, introduced by Koopman, Arntzen, Wells, Himmelberger, McGillvray, Kerns, O'Hara, Perry, Cordier, Lange, W. Jones, Klock, Dutton, Heinert, Blasdel, Phillips, referred to Transportation.

HB 568, introduced by Bergren, Jackson, referred to Rules.

HB 569, introduced by Rice, Boggio, Kerns, referred to Agriculture.

HB 570, introduced by Cohenour, Henry, Lambert, McGee, Pomnichowski, Windy Boy, Augare, Wanzenried, McAlpin, Lewis, Smith, Keane, Wiseman, Gallus, Cocchiarella, referred to State Administration.

HB 571, introduced by Windy Boy, Sinrud, Caferro, referred to Human Services.

HJR 28, introduced by Cohenour, Dutton, Pomnichowski, Wiseman, Windy Boy, Villa, Augare, McAlpin, L. Jones, Henry, Nooney, Mendenhall, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 90 - Representative MacLaren moved **HB 90** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Barrett, Everett, Heinert, Ingraham, Jore, Koopman, Mendenhall, Rice, Sinrud, Witte, Mr. Speaker.

Total 11

Excused: None.

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Total 0

Absent or not voting: Jayne.

Total 1

HB 139 - Representative Branae moved **HB 139** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Everett, Jore, Koopman, Mendenhall, Witte.

Total 5

Excused: None.

Total 0

Absent or not voting: Parker.

Total 1

HB 167 - Representative Hands moved **HB 167** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Beck, Boggio, Everett, Hawk, Jore, Klock, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 324 - Representative Sands moved **HB 324** do pass. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Windy Boy.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

HB 358 - Representative Dutton moved **HB 358** do pass. Motion **failed** as follows:

Ayes: Beck, Boggio, Dickenson, Dutton, Hawk, Heinert, Hendrick, Himmelberger, Mendenhall, Milburn, Morgan, Peterson.

Total 12

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 - Representative Olson moved **HB 362** do pass.

HB 362 - Representative Olson moved **HB 362**, second reading copy, be amended as follows:

1. Page 1, line 23.

Following: "more."

Insert: "To be included on the list, the tax lien for each property must have been sold at a tax lien sale under chapter 17, which includes the county as purchaser of the tax lien under 15-17-214, at least 3 years before preparation of the list."

2. Page 1, line 27.

Strike: "and"

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3. Page 1, line 28.

Following: "delinquent"

Insert: "; and

(vi) the date of the last tax lien sale on the property"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jopek.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 - The motion to pass **HB 362** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Augare, Caferro, Franklin, Gallik, Jayne, Jopek, Kottel, Windy Boy.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 369 - Representative Pomnichowski moved **HB 369** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour,

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Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Arntzen, Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Heinert, Jore, Koopman, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 409 - Representative Sinrud moved **HB 409** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Bixby, Callahan, Dickenson, Hawk, Jore, Koopman, Mendenhall, Villa.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 6 - Representative Phillips moved **HJR 6** be adopted. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte,

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Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Hendrick, Mendenhall, Rice, Ripley.
Total 4

Excused: None.
Total 0

Absent or not voting: Bergren, Dutton, Grinde, Sinrud.
Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 44 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 136 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 158 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 211 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Boggio.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 274 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 316 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dutton, Erickson, Everett, French, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 79

Noes: Augare, Becker, Bixby, Caferro, Callahan, Dickenson, Driscoll, Ebinger, Franklin, Furey, Gallik, Grinde, Henry, Himmelberger, Jopek, Kottel, McAlpin, McGillvray, Phillips, Raser, Wiseman.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 321 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 45

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Noonan moved to change his vote on **HB 409**. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 11, introduced by Kottel, the following sponsors were added:
Reps. Ankney, Arntzen, Beck, Boggio, Butcher, Clark, Dutton, Heinert, Ingraham, L. Jones, W. Jones, Kerns, Klock, Lake, Lambert, Malcolm, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Small-Eastman, Stahl, Stoker, Taylor, Vincent.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, February 6, 2007. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 6, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Peterson. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Jayne who was excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth legislative days, find the same to be correct.

L. Jones, Chair

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 90 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Heinert, Ingraham, Jore, Kasten, Koopman, Mendenhall, Rice, Sinrud, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 139 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart,

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Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Everett, Jore, Koopman, Mendenhall, Sonju, Witte.

Total 6

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 167 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Taylor, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Barrett, Beck, Boggio, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 210 failed as follows:

Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 51

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Voted Absentee: Jayne, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 369 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Heinert, Jore, Kasten, Klock, Koopman, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 409 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Augare, Bixby, Callahan, Dickenson, Hawk, Jore, Koopman, Mendenhall, Morgan.

Total 9

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

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Absent or not voting: L. Jones.
Total 1

HJR 6 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 39

Voted Absentee: Jayne, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/5/2007
Correctly printed: **HB 195, HB 292, HB 363.**

TRANSPORTATION (Sonju, Chairman): 2/5/2007
HB 143, do pass. Report adopted.

HB 273, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "AND"

2. Title, line 6.
Following: "MCA"
Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 2.
Following: line 21
Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2008."

And, as amended, do pass. Report adopted.

HB 413, introduced bill, be amended as follows:

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1. Title, line 5.

Strike: "FOR TWO VEHICLES"

2. Page 3, line 23.

Strike: "or national guard"

3. Page 4, line 7.

Following: "~~and~~"

Insert: "and"

4. Page 4, line 10.

Strike: " ; and"

Insert: " . "

5. Page 4, line 11.

Strike: "(f) a"

Insert: "(3) A"

6. Page 4, line 13.

Following: "61-3-458"

Insert: "(5) is exempt from all motor vehicle registration fees imposed by this chapter for one motor vehicle that is not used for commercial purposes"

And, as amended, do pass. Report adopted.

HB 419, introduced bill, be amended as follows:

1. Page 3, line 3.

Following: "place"

Insert: "all or a part of"

And, as amended, do pass. Report adopted.

HB 428, introduced bill, do pass and be placed on the consent calendar. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

2/6/2007

HB 526, introduced bill, do pass and be placed on the consent calendar. Report adopted.

HJR 20, introduced joint resolution, be amended as follows:

1. Page 1, line 15.

Strike: "47,000"

Insert: "470,000"

And, as amended, be adopted and be placed on the consent calendar. Report adopted.

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BUSINESS AND LABOR (Mendenhall, Chairman):
HB 378, introduced bill, be amended as follows:

2/6/2007

1. Page 1, line 11.
Following: "population"
Strike: "of"
Insert: "that includes"

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):
HB 40, introduced bill, be amended as follows:

2/6/2007

1. Title, line 5.
Following: "SCREEN ACT"
Insert: " ; "
Strike: "BY"

2. Title, line 8.
Following: "CREDITS;"
Insert: "REQUIRING THAT ALL PURCHASES MADE BY A TAXPAYER IN CONNECTION WITH A STATE-CERTIFIED PRODUCTION MUST BE PAID IN FULL BEFORE THE CREDIT FOR QUALIFYING EXPENDITURES MAY BE CLAIMED;"

3. Page 2, line 9.
Strike: "15% "
Insert: "14% "

4. Page 3, line 3.
Strike: "10% "
Insert: "9% "

5. Page 3, line 5.
Following: "(2)"
Insert: "(a)"

6. Page 3.
Following: line 8
Insert: "(b) The taxpayer shall certify in writing to the department, under penalty of false swearing as provided in 45-7-202, that the taxpayer has paid in full to each vendor in Montana for all goods and services purchased by the taxpayer in connection with the state-certified production during the tax year. A credit under this section may not be claimed unless the taxpayer has paid in full for all purchases of goods and services from Montana vendors."

And, as amended, do pass. Report adopted.

HB 315, do pass. Report adopted.

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HB 337, introduced bill, be amended as follows:

1. Title, line 6.

Following: "TAX"

Insert: ", SUBJECT TO VOTER APPROVAL,"

2. Page 1, line 14.

Strike: "The"

Insert: "If the voters have approved a levy for the purchase of volunteer firefighters' disability insurance, the"

3. Page 1, line 25.

Following: "authorized"

Insert: "-- voted levy for disability coverage"

4. Page 1, line 28 through line 29.

Strike: ", for" on line 28 through "district," on line 29

5. Page 2.

Following: line 2

Insert: "(2) Subject to 15-10-425, the board of county commissioners may levy a tax upon all taxable property within a rural fire district for the purpose of purchasing disability insurance coverage for the volunteer firefighters of the district."

Renumber: subsequent subsections

6. Page 2, line 9.

Strike: "(2)"

Insert: "(3)"

7. Page 2, line 10.

Strike: "(3)"

Insert: "(4)"

8. Page 2, line 18.

Following: "activities"

Insert: "-- voted levy for disability insurance"

Strike: ";

9. Page 2, line 19.

Strike: "(a)"

10. Page 2, line 20 through line 21.

Strike: ";

11. Page 2.

Following: line 24

Insert: "(3) Subject to 15-10-425, the county governing body may levy a tax for the purpose of purchasing disability insurance coverage for volunteer firefighters of volunteer rural fire control crews and county volunteer fire companies."

12. Page 2, line 27.

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Following: "area"

Insert: "-- voted levy for disability insurance"

13. Page 3, line 4.

Strike: "The"

Insert: "Subject to 15-10-425, the"

14. Page 3, line 11.

Following: "class"

Insert: "-- voted levy for disability insurance"

15. Page 3, line 26.

Strike: "15-10-420"

Insert: "15-10-425"

16. Page 4, line 2.

Following: "departments"

Insert: "-- voted levy for disability insurance"

17. Page 4, line 6 through line 7.

Strike: "Purchasing" on line 6 through "section" on line 7

Insert: "Subject to 15-10-425, a city or town may levy a tax on the taxable value of all taxable property in the city or town for the purpose of purchasing disability insurance coverage for volunteer firefighters of volunteer fire departments"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/5/2007

SB 204, introduced by Ryan

SB 224, introduced by Shockley

SB 225, introduced by Moss

SB 236, introduced by Gallus

HB 21, introduced by Morgan

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 572, introduced by Erickson, referred to Taxation.

HB 573, introduced by Erickson, referred to Education.

HB 574, introduced by Hiner, Ward, Lewis, referred to Appropriations.

HB 575, introduced by Caferro, referred to Appropriations.

HB 576, introduced by Caferro, referred to State Administration.

HB 577, introduced by Caferro, referred to Human Services.

HB 578, introduced by Musgrove, Groesbeck, referred to State Administration.

HB 579, introduced by Olson, referred to Judiciary.

HB 580, introduced by Koopman, referred to Appropriations.

HB 581, introduced by Hamilton, referred to Transportation.

HB 582, introduced by Jopek, referred to Local Government.

HB 583, introduced by Jopek, referred to Natural Resources.

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HB 584, introduced by Jopek, referred to Natural Resources.

HB 585, introduced by Keane, referred to Judiciary.

HB 586, introduced by Windy Boy, Campbell, Villa, Van Dyk, Pomnichowski, Erickson, Franklin, Gallik, Hamilton, Furey, Bergren, Jayne, Wiseman, Caferro, Hands, Cohenour, Wilmer, Augare, Henry, Driscoll, Reinhart, referred to Federal Relations, Energy, and Telecommunications.

HB 587, introduced by Himmelberger, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hilbert in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 341 - Representative Gallik moved **HB 341** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Boggio, Kasten, Taylor.

Total 3

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

HB 353 - Representative McGillvray moved **HB 353** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: Bergren, Bixby.
Total 2

Voted Absentee: Jayne, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 154 - Representative Clark moved **HB 154** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Jayne, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 26 - Representative McGillvray moved **HB 26** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 84

Noes: Blasdel, Erickson, Everett, Groesbeck, Hawk, Heinert, Himmelberger, Ingraham, Jore, Koopman, Mendenhall, Sinrud, Taylor, Van Dyk, Ward, Mr. Speaker.
Total 16

Voted Absentee: Jayne, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 272 - Representative L. Jones moved **HB 272** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Caferro, Jayne.
Total 2

Voted Absentee: Jayne, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 148 - Representative Grinde moved **HB 148** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Nooney, Rice, Ripley, Ross, Sinrud, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 31

Voted Absentee: Jayne, No.

Excused: None.
Total 0

Absent or not voting: Callahan, Dickenson.

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Total 2

HB 300 - Representative Milburn moved **HB 300** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Augare, Furey, Gallik, Henry, Jayne, McGillvray, Van Dyk.

Total 7

Voted Absentee: Jayne, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 199 - Representative W. Jones moved **HB 199** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Ankney, Butcher, Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, Mendenhall, Morgan, Rice, Ripley, Ross, Small-Eastman, Vincent, Wells.

Total 21

Voted Absentee: Jayne, Aye.

Excused: None.

Total 0

Absent or not voting: McAlpin.

Total 1

HB 390 - Representative Nooney moved **HB 390** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Dickenson, Driscoll, Ebinger, Erickson, Everett, Furey, Glaser, Groesbeck, Hamilton, Hendrick, Henry, Hilbert, Hiner, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte.
Total 74

Noes: Cohenour, Cordier, Dutton, Franklin, French, Gallik, Grinde, Hands, Hawk, Heinert, Himmelberger, Hollenbaugh, Ingraham, W. Jones, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Sands, Sinrud, Stoker, Van Dyk, Wiseman, Mr. Speaker.
Total 26

Voted Absentee: Jayne, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 201 - Representative Jopek moved **HB 201** do pass.

HB 201 - Representative Keane moved **HB 201**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Strike: "REQUIRING CERTAIN GOVERNMENTS TO PAY FEES;"

2. Title, page 1, line 8.

Strike: "82-4-405,"

3. Page 1, line 13 through line 28.

Strike: section 1 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Arntzen, Augare, Beck, Becker, Blasdel, Branae, Butcher, Campbell, Dutton, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hands, Hawk, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McChesney, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wells, Wilson, Mr. Speaker.
Total 51

Noes: Ankney, Barrett, Bergren, Bixby, Boggio, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Furey, Gallik, Hamilton, Heinert, Hendrick, Henry, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Klock, Kottel, Lambert, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Parker, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Small-Eastman, Van Dyk, Vincent, Wilmer, Windy Boy, Wiseman.
Total 48

Voted Absentee: Jayne, No.

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Excused: None.
Total 0

Absent or not voting: Witte.
Total 1

HB 201 - Motion to pass **HB 201** carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.
Total 65

Noes: Barrett, Blasdel, Boggio, Clark, Everett, Hawk, Hendrick, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Sonju, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 35

Voted Absentee: Jayne, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hilbert moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Hendrick, Mendenhall, Rice, Wells.
Total 4

Excused: Jayne.
Total 1

Absent or not voting: Hilbert, Ripley.
Total 2

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MOTIONS

Representative Lange moved **HB 26** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 148** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 199** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 390** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 201** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved **HB 385** be taken from the Committee on Appropriations and moved to the Committee on Transportation. There being no objections, so ordered.

Representative Augare moved his vote be changed on **HB 300**. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

Objection by Representative Sales that **HB 428**, **HB 526** and **HJR 20** were placed on the consent calender. The bills were placed on Second Reading.

HB 60, introduced by Parker, the following sponsors were added:
Reps. Rice, Wilson. Senators Laslovich, McGee, Perry, Williams.

HB 473, introduced by Ross, the following sponsors were added:
Reps. Ankney, Cohenour.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, February 7, 2007. Motion carried.

House adjourned at 2:38 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 7, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Phillips, Representative Milburn and Representative Sinrud who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the nineteenth, twentieth, and twenty-first legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/6/2007
Correctly printed: **HB 143, HB 315, HB 428, HB 526.**
Correctly engrossed: **HB 40, HB 273, HB 337, HB 378, HB 413, HB 419, HJR 20.**
Correctly enrolled: **HB 21.** 2/5/2007
Examined by the sponsor and found to be correct: **HB 21.**
Signed by the Speaker at 2:20 p.m., February 7, 2007: **HB 21.**

JUDICIARY (Rice, Chairman): 2/6/2007
HB 306, do pass. Report adopted.

HB 334, introduced bill, be amended as follows:

1. Page 5, line 10.

Following: "technical"

Insert: "and price"

2. Page 5, line 12.

Following: "technical"

Insert: "and price"

3. Page 5, line 14.

Following: "technical"

Insert: "and price"

4. Page 5, line 15.

Following: "schedule"

Insert: "and the lump-sum price to complete the project"

5. Page 5, line 16.

Following: "technical"

Insert: "and price"

And, as amended, do pass. Report adopted.

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HB 402, do pass. Report adopted.

AGRICULTURE (Butcher, Chairman):

2/7/2007

HB 380, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "BY OPEN"

2. Title, line 5.

Strike: "PURCHASE OR BY CONTRACT"

3. Title, line 6.

Following: "MONTANA"

Insert: "BY DIRECT NEGOTIATION"

4. Page 1, line 17 through line 19.

Strike: "open purchase" on line 17 through "apply" on line 19

Insert: "direct negotiation"

And, as amended, do pass. Report adopted.

HB 431, do pass. Report adopted.

EDUCATION (Jore, Chairman):

2/7/2007

HB 230, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, line 14 through page 1, line 17.

Following: "person"

Strike: "shall" on line 14 through "district" on line 17

Insert: "must pass a criminal background check and be of good moral character"

3. Page 1, line 18 and line 19.

Strike: "must" on line 18

Insert: "is recommended to"

Following: "based" on line 18

Insert: "in part"

Following: "evaluation of"

Strike: ":" on line 18 through "(a)" on line 19

4. Page 1, line 19.

Following: "knowledge"

Strike: ";

Insert: "in the subject area or areas being taught and"

5. Page 1, line 20.

Strike: subsection (b) in its entirety

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6. Page 1, line 21.

Strike: "(c)"

Strike: "; and"

Insert: "."

7. Page 1, line 22.

Strike: subsection (d) in its entirety

8. Page 1, line 27 through line 28.

Strike: subsection (5) in its entirety

Renumber: subsequent subsection

9. Page 1, line 29.

Strike: "internship"

Insert: "trial period"

Strike: "shall present"

Insert: "may recommend"

10. Page 1, line 30 through page 2, line 1.

Following: "certification"

Strike: remainder of line 30 through "section" on page 2, line 1

Insert: "based on the academic achievement of the pupils taught by the person during that first year"

And, as amended, do pass. Report adopted.

HB 354, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "20 U.S.C. 1414 and 34 CFR 300.340 through 300.350"

Insert: "the Individuals with Disabilities Education Act, 20 U.S.C. 1400, et seq"

2. Page 2, line 8.

Following: "university"

Insert: "or who has a combination of education and experience"

3. Page 2, line 14.

Following: "board"

Insert: "of public education"

4. Page 2, line 20.

Following: "university"

Insert: "or who have a combination of education and experience"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

2/7/2007

HB 11, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Following: "PROJECTS;"

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Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT STATE SPECIAL REVENUE ACCOUNT;"

2. Page 1, line 22.

Following: "account"

Insert: "and general fund"

3. Page 1, line 23.

Following: "account"

Insert: "and \$15.4 million from the transfer in [section 6]"

4. Page 3, line 7.

Strike: "750,000"

Insert: "600,000"

5. Page 3.

Following: line 7

Insert: "35. Cut Bank, City of (water) 550,000

36. Whitehall, Town of (wastewater) 750,000

37. Crow Tribe for Crow Agency (wastewater) 750,000

38. Big Sandy, Town of (wastewater) 750,000

39. Fairfield, Town of (wastewater) 750,000

39. Hamilton, City of (wastewater) 750,000

41. Gallatin County for Hebgen Lake (wastewater) 750,000

42. Shelby, City of (water) 750,000

42. Whitefish, City of (wastewater) 750,000

44. Panoramic Heights and Mountain River Heights County Water District (water) 191,500

45. Custer County (bridge) 63,750

46. Brady County Water District (wastewater) 750,000

47. Elk Meadows Ranchettes County Water District (water) 410,000

48. Polson, City of (water) 750,000

49. Darby, Town of (water) 750,000

50. Goodan-Keil County Water District (water) 532,250

51. Butte-Silver Bow County (water) 750,000

52. Columbia Falls, City of (wastewater) 750,000

53. Mineral County/Saltse Water and Sewer District (wastewater) 390,000

53. North Valley County Water and Sewer District (water) 750,000

55. Red Lodge, City of (water) 750,000

56. Black Eagle Cascade County Water and Sewer District (water) 365,000"

6. Page 3, line 12.

Following: "through"

Strike: "31"

Insert: "56"

7. Page 3, line 18.

Strike: line 18 through line 20 in their entirety

Renumber: subsequent subsections

8. Page 5.

Following: line 26

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Insert: "NEW SECTION. Section 6. Fund transfer. At the beginning of fiscal year 2008, the amount of \$15.4 million is transferred from the state general fund to the treasure state endowment state special revenue account established in 90-6-715 for the purpose of making grants."

Renumber: subsequent sections

9. Page 8, line 17.

Following: "to"

Strike: "\$6,986,000"

Insert: "\$6,686,000"

Following: "authorized"

Strike: "for the 2009 biennium"

10. Page 8, line 20.

Strike: "9(1)"

Insert: "10(1)"

11. Page 8, line 26.

Strike: "7(2)"

Insert: "8(2)"

12. Page 9, line 1.

Strike: "7 through 9"

Insert: "8 through 10"

13. Page 9, line 17.

Following: "[Sections"

Strike: "7"

Insert: "8"

Following: "through"

Strike: "9"

Insert: "10"

14. Page 9, line 19.

Following: "through"

Strike: "6"

Insert: "7"

Following: "and"

Strike: "10"

Insert: "11"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

2/7/2007

SB 33, introduced by Steinbeisser

SB 125, introduced by Harrington

SB 153, introduced by Cocchiarella

SB 245, introduced by McGee

SB 261, introduced by Lewis

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SB 271, introduced by Brown
SB 296, introduced by Weinberg
SB 305, introduced by Laslovich
SB 328, introduced by Steinbeisser

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 588, introduced by Everett, referred to Local Government.
HB 589, introduced by Everett, referred to Local Government.
HB 590, introduced by Everett, referred to Judiciary.
HB 591, introduced by Everett, referred to Fish, Wildlife and Parks.
HB 592, introduced by Wilson, M. Tropila, Milburn, J. Tropila, Parker, Furey, Franklin, O'Hara, referred to Appropriations.
HB 593, introduced by Furey, referred to Transportation.
HB 594, introduced by Stahl, Branae, referred to State Administration.
HB 595, introduced by Dickenson, Henry, Branae, Butcher, Hiner, referred to Judiciary.
HB 596, introduced by Sands, Caferro, Williams, McAlpin, Franklin, Ryan, J. Tropila, Noonan, Lange, Cocchiarella, referred to Local Government.
HB 597, introduced by Stoker, referred to Judiciary.
HB 598, introduced by Erickson, referred to Taxation.
HB 599, introduced by Raser, referred to Taxation.
HB 600, introduced by Raser, referred to Business and Labor.
HB 601, introduced by Small-Eastman, referred to Business and Labor.
HB 602, introduced by Small-Eastman, referred to Federal Relations, Energy, and Telecommunications.
HB 603, introduced by Small-Eastman, referred to Appropriations.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 29, introduced by Dickenson, Phillips, Hiner, Gallik, Branae, Butcher, Lambert, referred to Agriculture.
HJR 30, introduced by Furey, referred to Human Services.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 15, introduced by J. Tropila, referred to State Administration.

Democratic Floor Leader Villa announced that Democrats would caucus. Majority Floor Leader Lange announced that Republicans would caucus. House reconvened at 1:30 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 154 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore.
Total 1

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: Caferro, Windy Boy.
Total 2

HB 272 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Caferro, Jayne.
Total 2

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 300 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

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Noes: Augare, Franklin, Furey, Gallik, Henry, Jayne, McGillvray.
Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 341 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Boggio, Kasten.
Total 2

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 353 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Bergren, Grinde.
Total 2

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Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Bixby, Caferro, Franklin, Gallik, Jopek.

Total 5

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative MacLaren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 292 - Representative Stahl moved **HB 292** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

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Total 98

Noes: Jopek, Wiseman.

Total 2

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 290 - Representative Bergren moved **HB 290** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 264 - Representative Heinert moved **HB 264** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

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Total 0

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 361 - Representative Kottel moved **HB 361** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Beck, Boggio, Kasten, Malcolm, Peterson, Ripley, Wells, Mr. Speaker.

Total 8

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 195 - Representative Lange moved **HB 195** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 95

Noes: Franklin, Jore, Kasten, Koopman, Mr. Speaker.

Total 5

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 357 - Representative Cohenour moved **HB 357** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Boggio, Jore, Kasten, Koopman, McGillvray, Peterson, Mr. Speaker.

Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: Rice.

Total 1

HB 363 - Representative Ward moved **HB 363** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Everett, Hawk, Jore, Kasten, Koopman, Wells, Mr. Speaker.

Total 7

Voted Absentee: Phillips, Sinrud, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 117 - Representative Henry moved **HB 117** do pass.

HB 117 - Representative Groesbeck moved **HB 117**, second reading copy, be amended as follows:

1. Page 2, line 19.

Following: "results;"

Insert: "and"

2. Page 2, line 22 through page 2, line 23.

Following: "20-8-102" on line 22

Strike: "; and" on line 22 through "this part" on line 23

3. Page 3, line 18.

Following: "information"

Strike: "and any other information required by rule"

4. Page 4, line 1 through page 4, line 2.

Following: "information" on line 1

Strike: "and any other information required by rule"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Furey, Hollenbaugh, McGillvray, Sinrud.

Total 4

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 117 - Motion to pass **HB 117**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 69

Noes: Barrett, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 30

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

HB 278 - Representative Stoker moved **HB 278** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Jore, Kasten, Keane, Koopman, McGillvray, Mendenhall, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 - Representative Kottel moved **HB 485** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 58

Noes: Ankney, Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

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Total 42

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 303 - Representative Furey moved that **HB 303** do pass. The motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Phillips, Aye; Sinrud, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman MacLaren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Everett, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Becker, Bergren, Bixby, Branae, Callahan, Dickenson, Erickson, Franklin, Groesbeck, Parker, Raser, Sands, Villa, Wilson, Windy Boy.

Total 15

Excused: Phillips, Sinrud.

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Total 2

Absent or not voting: Ebinger, Kottel, MacLaren, Musgrove, Small-Eastman.

Total 5

MOTIONS

Majority Leader Lange moved **HB 429** be rereferred to the Committee on Human Services. There being no objection, so ordered.

Majority Leader Lange moved **HB 195** be rereferred to the Committee on Appropriations. There being no objection, so ordered.

Majority Leader Lange moved **HB 278** be rereferred to the Committee on Appropriations. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

HB 416, introduced by MacLaren, additional sponsors were added:
Reps. Keane, Stahl. Senator Laible.

HB 514, introduced by Caferro, additional sponsors were added:
Reps. Ankney, Augare, Bergren, Branae, Cohenour, Dickenson, Driscoll, Erickson, French, Furey, Hamilton, Henry, Hiner, Hollenbaugh, Klock, Kottel, Musgrove, Noonan, Phillips, Pomnichowski, Reinhart, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, February 8, 2007. Motion carried.

House adjourned at 3:02 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 8, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Heinert. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Milburn who was excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-second, twenty-third, twenty-fourth, and twenty-fifth legislative days, find the same to be correct.

L. Jones, Chair

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 264 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 290 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Total 100

Noes: None.

Total 0

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 292 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 97

Noes: Wiseman.

Total 1

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: W. Jones, McAlpin.

Total 2

HB 357 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

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Noes: Beck, Boggio, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Sinrud, Witte, Mr. Speaker.
Total 11

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 361 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Beck, Boggio, Dutton, Kasten, Morgan, Peterson, Ripley, Sinrud, Sonju, Wells, Wilmer, Mr. Speaker.
Total 12

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 363 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Boggio, Everett, Hawk, Jore, Kasten, Koopman, Mendenhall, Wells, Witte, Mr. Speaker.
Total 10

Voted Absentee: Milburn, Aye.

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Excused: None.
Total 0

Absent or not voting: W. Jones, Ripley.
Total 2

HB 485 passed as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, Mendenhall, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Ankney, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Stoker, Wells, Witte, Mr. Speaker.
Total 33

Voted Absentee: Milburn, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/7/2007
Delivered to the Governor for approval at 3:40 p.m., February 7, 2007: **HB 21**.
Correctly engrossed: **HB 11, HB 230, HB 354, HB 380**.

BUSINESS AND LABOR (Mendenhall, Chairman): 2/7/2007
HB 58, introduced bill, be amended as follows:

1. Title, line 5.

Following: "WEEKLY BENEFIT"

Insert: "IF THE UNEMPLOYMENT INSURANCE CONTRIBUTIONS SCHEDULE IS SCHEDULE I"

2. Page 1, line 22 through line 27.

Following: "wage."

Strike: "The" on page 1, line 22 through "amount." on page 1, line 27

Insert: "(3) The maximum and minimum weekly benefit amounts are computed in the following manner:

(a)(i) If the unemployment insurance contributions schedule provided for in 39-51-1218 is Schedule II or higher, the maximum weekly benefit amount is 66.5% of the average weekly wage and must be applied to all maximum weekly benefit amount claims for benefits filed to establish a benefit year commencing on or after July 1 of the same year.

(ii) The minimum weekly benefit amount must be 19% of the average weekly wage.

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(iii) The minimum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount.

(b)(i) If the unemployment insurance contributions schedule provided for in 39-51-1218 is Schedule I, the maximum weekly benefit amount is 67.5% of the average weekly wage and must be applied to all maximum weekly benefit amount claims for benefits filed to establish a benefit year commencing on or after July 1 of the same year.

(ii) The minimum weekly benefit amount must be 20% of the average weekly wage.

(iii) The minimum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount."

And, as amended, do pass. Report adopted.

HB 299, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "other"

Strike: "natural or"

2. Page 1, line 23.

Strike: "extreme terrain,"

3. Page 1, line 27.

Following: "freestyle terrain,"

Insert: "extreme terrain,"

4. Page 1, line 29.

Following: "marked"

Strike: "improvements and"

5. Page 2, line 1.

Strike: "improvements and"

Following: "equipment"

Strike: "are"

Insert: "is"

6. Page 2, line 2.

Strike: "and"

7. Page 2, line 3.

Following: "ability"

Strike: " _ "

Insert: "; (j) skiing in a closed area or skiing outside the ski area boundary as designated on the ski area trail map;
and

(k) restricted visibility caused by snow, wind, fog, sun, or darkness."

8. Page 2, line 26.

Following: "for"

Strike: "the purpose of participating in the sport of"

9. Page 2, line 27.

Following: "using"

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Strike: "a"
Insert: "any"
Following: "area"
Insert: "facility"

10. Page 2, line 29 through line 30.
Following: "skiing." on line 29
Strike: remainder of line 29 through "facility." on line 30

11. Page 3, line 1.
Strike: "Sport of skiing"
Insert: "'Skiing'"

12. Page 3, line 24.
Following: "areas."
Insert: "(1)"

13. Page 3, line 26.
Strike: "(1)"
Insert: "(a)"
Renumber: subsequent subsections

14. Page 3, line 30.
Following: "displaying"
Insert: "a map of"

15. Page 4, line 1.
Following: the first "trails"
Insert: ", the boundaries of the ski area,"

16. Page 4, line 8.
Strike: "an orange oval"
Insert: "a symbol recognized by the national ski areas association"

17. Page 4, line 9.
Insert: "(2) Nothing in this part may be construed to impose any duty owed by a ski area operator to a trespasser or an unauthorized user of a ski area."

18. Page 5, line 7.
Following: "23-2-733;"
Strike: "and"

19. Page 5, line 8.
Following: "operator"
Strike: "."
Insert: "; and (e) shall read the ski area trail map and must be aware of its contents."

20. Page 5, line 18.
Following: "skiing."
Insert: "Nothing in this part may be construed to limit a skier's right to hold another skier legally accountable for

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damages caused by the other skier."

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/8/2007
HB 328, do pass. Report adopted.
HJR 13, be adopted. Report adopted.

JUDICIARY (Rice, Chairman): 2/7/2007
HB 403, introduced bill, be amended as follows:

1. Title, line 6.

Following: "II,"

Insert: "PROVIDING THAT THE RIGHT TO LIFE DOES NOT AFFECT THE DEATH PENALTY,"

2. Page 1.

Following: line 22

Insert: "(5) Nothing in this section prohibits or otherwise affects a sentence of death imposed by the state as a penalty for criminal conduct."

And, as amended, do pass. Report adopted.

HB 437, introduced bill, be amended as follows:

1. Page 1, line 10 through line 13.

Following: "contracts." on line 10

Strike: "Each contract" on line 10 through "or agreement" on line 13

Insert: "Each written contract that the department of public health and human services enters into for the provision of human services to a third party must contain a clause providing for a dispute resolution process in the event of disagreement between the contractor and the department about the terms of the contract"

And, as amended, do pass. Report adopted.

HB 449, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman): 2/8/2007
HB 291, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: "that"

Insert: ", for purposes other than agricultural open burning,"

2. Page 1, line 16.

Following: "relating to"

Insert: ": (a)"

Following: "any"

Insert: "agricultural"

Following: "equipment"

Insert: "that is"

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3. Page 1, line 17.

Following: "crops"

Insert: "by an agricultural producer"

Strike: "that"

Strike: "are"

Insert: "and that is"

4. Page 1, line 18.

Following: "7661"

Insert: "; or

(b) a commercial operation relating to the activities or equipment referred to in subsection (1)(a) that remains in a single location for less than 12 months and is not subject to the requirements of 42 U.S.C. 7475, 7503, or 7661"

And, as amended, do pass. Report adopted.

HB 473, do pass. Report adopted.

1. Page 7, line 26.

Following: "fees"

Insert: " -- appeals"

2. Page 7, line 27.

Following: "affect"

Insert: "the department's ability to address appeals filed pursuant to former 85-2-276 or"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/7/2007

SB 108, introduced by Cocchiarella

SB 165, introduced by Brueggeman

SB 233, introduced by Elliott

SB 244, introduced by Weinberg

SB 315, introduced by Cobb

SB 316, introduced by Elliott

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 604, introduced by Jopek, referred to State Administration.

HB 605, introduced by Keane, referred to Judiciary.

HB 606, introduced by Pomnichowski, Henry, Augare, French, Callahan, MacLaren, Stahl, Hiner, Erickson, Parker, Bixby, Cohenour, Small-Eastman, Reinhart, Jacobson, Hollenbaugh, Thomas, Nooney, Wilmer, Noonan, Grinde, Sesso, Phillips, Ebinger, McAlpin, Raser, Hilbert, Vincent, Branae, referred to Judiciary.

HB 607, introduced by McAlpin, Furey, Van Dyk, Villa, Augare, Dickenson, Erickson, Hamilton, Cohenour, Caferro, Henry, Gallik, Windy Boy, Wiseman, referred to Natural Resources.

HB 608, introduced by Olson, Lewis, referred to Appropriations.

HB 609, introduced by Hamilton, Raser, Cordier, O'Hara, Arntzen, referred to Education.

HB 610, introduced by Keane, Gebhardt, Stahl, Olson, referred to Natural Resources.

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HB 611, introduced by Jacobson, referred to Federal Relations, Energy, and Telecommunications.

HB 612, introduced by Henry, Franklin, Hiner, Furey, Villa, Wilmer, Parker, McAlpin, Pomnichowski, Becker, Noonan, Wilson, Bixby, Branae, Hamilton, Erickson, Sands, Hands, Cohenour, Augare, Reinhart, Raser, referred to Human Services.

HB 613, introduced by Bergren, Lambert, referred to Fish, Wildlife and Parks.

HB 614, introduced by Butcher, referred to Education.

HB 615, introduced by Butcher, Curtiss, referred to Education.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 31, introduced by Everett, Ripley, Jore, Sales, Beck, Hilbert, Vincent, Sonju, Stahl, referred to Natural Resources.

HJR 32, introduced by McAlpin, Furey, Van Dyk, Thomas, Noonan, Cordier, Hiner, Erickson, Dickenson, Pomnichowski, Hamilton, Hands, French, Musgrove, Jacobson, Jore, Bixby, Ebinger, Small-Eastman, Villa, Campbell, Cohenour, Sesso, Sands, Becker, Wilmer, Reinhart, Raser, Parker, Grinde, Hollenbaugh, Branae, Groesbeck, referred to Transportation.

HJR 33, introduced by Thomas, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 143 - Representative Reinhart moved **HB 143** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 82

Noes: Ankney, Barrett, Boggio, Clark, Everett, Hendrick, Jayne, Jore, Kasten, Koopman, McGillvray, Peterson, Rice, Ripley, Ward, Witte.

Total 16

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: Butcher, Sesso.

Total 2

HB 378 - Representative Windy Boy moved **HB 378** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 81

Noes: Beck, Everett, Franklin, Gallik, Hawk, Henry, Himmelberger, Ingraham, Jore, Kasten, Keane, Koopman, Rice, Ripley, Sands, Sinrud, Wells, Witte, Mr. Speaker.
Total 19

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 419 - Representative Koopman moved **HB 419** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: Malcolm.
Total 1

HB 428 - Representative Gallik moved **HB 428** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Total 84

Noes: Ankney, Boggio, Butcher, Ebinger, Hendrick, Jayne, L. Jones, Jopek, Jore, Kasten, Koopman, McGillvray, Mendenhall, Thomas, Ward, Wells.

Total 16

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 526 - Representative Groesbeck moved **HB 526** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 20 - Representative Lange moved consideration of **HJR 20** be passed for the day. Motion carried.

HB 196 - Representative Lange moved **HB 196** do pass.

HB 196 - Representative Lange moved **HB 196**, second reading copy, be amended as follows:

1. Title, line 8.

Following: "IMPACTS;"

Insert: "REQUIRING THE COAL BOARD TO PROVIDE A REPORT TO THE LEGISLATURE;"

2. Title, line 9.

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Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 2, line 9.

Strike: "\$2 million"

Insert: "2.71% "

4. Page 3, line 21.

Strike: "\$2 million"

Insert: "2.71% "

5. Page 3, line 26.

Following: "established"

Insert: "-- report"

Following: "established."

Insert: "(1)"

6. Page 3, line 30.

Following: line 29

Insert: "(2) The coal board shall report to the legislature, as provided in 5-11-210, on the allocation of funds from the coal development impact account."

7. Page 7, line 18.

Insert: "NEW SECTION. **Section 8. Termination.** [Section 1] terminates June 30, 2010."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 86

Noes: Bixby, Branae, Callahan, Campbell, Cohenour, Franklin, Gallik, Hands, Jore, McAlpin, Pomnichowski, Reinhart, Small-Eastman, Wiseman.

Total 14

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 196 - Motion to pass **HB 196** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Erickson, Glaser, Hawk, Heinert,

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Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jore, Koopman, Kottel, McAlpin, Mendenhall, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 45

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: Everett.

Total 1

HB 315 - Representative Koopman moved **HB 315** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan,

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Nooney, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 56

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Jacobson, Jayne, Keane, Kottel, Parker, Phillips, Raser, Sands, Villa, Wilson, Wiseman.

Total 32

Excused: Milburn.

Total 1

Absent or not voting: Ankney, Arntzen, Driscoll, Everett, Himmelberger, Hollenbaugh, O'Hara, Ripley, Small-Eastman, Stahl, Ward.

Total 11

MOTIONS

Representative Lange moved that **HB 551** be moved from the Committee on Appropriations to the Committee on Local Government. There being no objection, so ordered.

Representative Lange moved that **HB 378** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **HB 196** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **HB 315** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Representative Wiseman moved that his vote on **HB 315** be changed. There being no objection, so ordered.

Representative Small-Eastman moved that her vote on **HB 315** be changed. There being no objection, so ordered.

Representative Caferro moved that her vote on **HB 315** be changed. There being no objection, so ordered.

SPECIAL ORDERS OF THE DAY

HB 614, sponsored by Butcher, the following sponsors were added:

Reps. Arntzen, Beck, Blasdel, Butcher, Dutton, Everett, Furey, Hawk, Hilbert, Himmelberger, L. Jones, W. Jones, Keane, Kerns, Klock, Lambert, MacLaren, McChesney, Mendenhall, Morgan, Musgrove, Nooney, Olson, Peterson, Pomnichowski, Ripley, Sonju, Stahl, Vincent, Wells, Wilson, Windy Boy, Witte.

HB 615, sponsored by Butcher, the following sponsors were added:

Reps. Beck, Blasdel, Butcher, Everett, Hilbert, Jore, Kerns, Klock, Lambert, MacLaren, Mendenhall, Nooney, Sonju, Vincent, Wells.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, February 9, 2007. Motion carried.

House adjourned at 2:28 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
TWENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 9, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Malcolm. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Milburn who was excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-sixth, twenty-seventh, and twenty-eighth legislative days, find the same to be correct.

L. Jones, Chair

Speaker Sales and the House thanked the pages for the past week.

MOTIONS

Majority Leader Lange moved that the House be on Order of Business #11, Special Orders of the Day, for the purpose of receiving the State of Education Address from State Superintendent of Public Instruction

SPECIAL ORDERS OF THE DAY

Sergeant-at Arms Clark notified Mr. Speaker that the Honorable Senate of the State of Montana awaits outside the Chamber. Speaker Sales requested Sergeant-at-Arms Clark to admit the Honorable Senate into the House chamber. Speaker Sales introduced Senate President Cooney and yielded the chair to him.

Senate Majority Leader Williams moved that the body resolve itself into a joint session for the purpose of receiving the State of Education address from State Superintendent Linda McCullough. Motion carried.

Senate Majority Leader Williams moved Senate President Cooney be authorized to appoint a committee of four to notify Superintendent McCullough that the body was in joint session and ready to receive her address. Motion carried.

Senate President Cooney appointed Senator Kitzenberg, Senator Jackson, Representative Bixby and Representative Boggio to escort Superintendent McCullough into the chamber.

The committee escorted Superintendent McCullough into the chamber.

The Invocation was given by Reverend George Harper. Pledge of Allegiance to the Flag.

Senate President Cooney introduced Superintendent McCullough to the joint session. Superintendent McCullough gave the following speech.

2007 State of Education Address
State Superintendent Linda McCulloch
February 9, 2007

Good afternoon. I'm so very pleased to be here with you today.

Thank you, President Cooney, Speaker Sales, Senator Williams, Senator Stapleton, and Representative Parker for

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bringing us together to focus on Montana's children and their future. Thank you, Rev. Harper for your good words.

I'd also like to recognize my colleagues and friends in the Executive and Judicial branches of Montana Government, Clerk of the Supreme Court, the Public Service Commissioner, the Board of Public Education and the First Lady of Montana, Nancy Schweitzer.

And a very special thank you to my husband Bill for being here with me and supporting my dedication to Montana's kids.

I would like to take a moment to thank some folks who you don't see everyday in our schools, but who spend every single day working to make our schools even better. They are my co-workers, my friends at the Office of Public Instruction. These are the folks who don't receive the first grade hugs, but really deserve them. Please help me say thanks to my deputy, Bud Williams and all the good hard-working folks at the Office of Public Instruction.

I begin my State of Education Address with sincere words of thanks for the thousands of committed teachers, administrators, school staff and trustees. You work tirelessly, helping Montana's children learn and prepare for their futures. Simply put, you change lives.

Would all educators, school staff or trustees in the audience, both on the floor and in the gallery, please stand so we may recognize you? From all of us here, and from all Montanans, thank you!

I'd like to specifically thank the students who are watching this address live, using video streaming technology or local access television. One of those schools is Havre High School. Please join me in greeting Mr. John Ita's U.S. Government Class and Mr. Jim Magera's Local History and American Indian Culture classes.

This is the fourth time I have come to share with you my thoughts on the State of Education in Montana. It will also be my last address to this joint body as State Superintendent.

How time flies. You can't help but be a little reflective on where we've come from as Montanans and about our hopes for the future.

I thought it would be interesting to see how the Superintendent of Public Instruction saw the State of Education a hundred years ago. In 1906 the State of Education came in the form of a 500 page report. What I found was quite startling and more than a little disturbing. The Superintendent of Public Instruction in 1906 was a man. I had always been led to believe that one of the more sensible Montana traditions has always been electing women as State Superintendent. Of course in 1906 women did not, yet, have the right to vote.

Then State Superintendent W.E. Harmon reported, "There are in Montana many good schools where good salaries are paid to well prepared, competent teachers. The school houses are well built and well equipped for the best work. The school grounds are sightly and the school is the pride of the community."

Superintendent Harmon understood that public education demands that we can't stand still. He knew that a growing Montana needed a public school system that could prepare our students for the demands of a constantly changing economy.

Superintendent Harmon saw the connection between the quality of the education we could provide our children depended on the quality of the teacher in the classroom. He noted that "better trained, more experienced and more highly educated teachers" were in high demand. He argued, that in order to keep the best teachers, salaries need to be competitive. Sound familiar?

Within Superintendent Harmon's report was an observation that gets to why public education has been so successful

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in Montana. He put it quite eloquently in just two sentences. "Montana has the right sentiment. It seeks to give every child an opportunity to obtain an education. That is the passion that has driven public education for the past one hundred years in Montana.

It fundamentally recognizes that when we maximize our investment in every child who enters the school house door it will come back to us many times more and in ways we cannot even imagine.

It is why Montana students consistently perform among the top students in the country. Last May, the National Assessment of Educational Progress released the results of the 2006 national science tests. These "NAEP Tests" are known as the national "gold standard" for academic achievement.

Both Montana 4th and 8th grade students scored within just 1 point of the top state science scores in the country.

Our 8th grade science scores were just one point behind top ranked North Dakota, ranking Montana second in the nation. Our 4th grade students were one point behind top ranking New Hampshire.

Our Montana schools do a significantly better job in closing the academic "achievement gap" for our low income students. Nationally there is a 27 point "achievement gap" for science scores between 4th grade high and low income students. In Montana this achievement gap is only 16 points. The same pattern holds true for 8th grade Montana low income students.

These results didn't happen in a vacuum. Montana students do well in science because of the quality of science education provided by Montana's teachers. At both the state and national level, officials across the country are calling for a renewed emphasis on science and math teaching.

I applaud both Governor Schweitzer and First Lady Nancy Schweitzer for their special efforts to make science both fun and interesting for Montana kids. Thank you, Nancy, and please thank the Governor for me.

The First Family knows in order for Montana schools to remain leaders in science education, and for Montana to have a workforce ready to fill the jobs of tomorrow, we can't afford to stand still. We must constantly strive to improve student learning. I am confident that with sufficient resources, Montana students and teachers are up to the challenge.

In my first State of Education speech in 2001, I said Montana was at a "fork in the road." I noted our children have boundless potential and through the dedication of parents, teachers, community members and school trustees our schools are among the best in the nation.

But the quality of our public schools was being severely tested. The combination of stagnant state funding, declining student enrollments, and steadily rising costs were pushing schools to the breaking point.

School boards were struggling just to keep "above water." Tight budgets were forcing painful choices to be made daily, at the same time the demands on our schools were steadily increasing. Schools were asked to do a great deal more, but with fewer resources.

There were no "time outs" for schools. Everyday, kids still came to school expecting the best we could offer.

At the 2003 Legislature schools were still at that "fork in the road" and the state budget situation was grim. If that wasn't enough, it was also the first year that President Bush's No Child Left Behind Act went into effect. Schools were faced with a whole new labyrinth of federal regulations without the needed federal dollars to meet those new demands and expectations.

When the 2005 Legislature convened it was clear a choice had to be made. I am proud to say that the Legislature had

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the courage to choose the challenging but rewarding road toward a better future for our children.

At no other time in Montana history has the Legislature devoted so much time and energy on the fundamental issues and questions surrounding public education.

In the end, the Legislature, for the first time, produced a definition for providing a quality education for our children. It's a definition reflecting our best aspirations for our children and is deeply rooted in Montana "common sense."

Montanans, through their elected Legislature, decided:

A quality education must include high academic standards set forth by the Board of Public Education.

A quality education must provide assessments to make sure our children are succeeding.

It must address the needs of Montana's low-income children, at-risk youth, and special needs students -- both challenged and gifted.

It must reflect the needs of our American Indian students.

It must allow us to recruit and retain high-quality teachers.

It must allow us to provide kids with textbooks, library materials, and the technology they need to be competitive in the global economy.

It must provide safe school buildings and buses.

It must implement Indian Education for All, as defined by the Montana State Constitution.

And finally, it must be a quality education that will continue to adapt as times change.

And, with this new definition, came the down-payment: a substantial increase in state funding to make this dream a reality.

In December 2005, the Legislature met in special session for the sole purpose of addressing school funding. Once again, I am proud to say the Legislature resisted the temptation to go backwards and instead continued to strike out on the road to a better public education for Montana's kids.

Four brand-new components were added to the school funding system. Two of the new components established Montana's commitment to improve the academic performance of students-at-risk and American Indian students.

A third component provides for ongoing funding for schools to implement Indian Education for All, so all Montana students can gain a better appreciation and understanding of the contributions of American Indian cultures, history, and contemporary issues.

And the fourth component recognizes the need to recruit and retain quality educators with a quality educator payment.

And again, along with these changes in the school funding system, came substantial funding increases to begin to address these critical needs.

And so here we are today, 29 days into the 2007 Legislative Session and a good deal further down our road together. We've come a long way, but education, by its very nature, is a continuing journey. A journey that demands we meet our responsibility to educate the next generation so that they and we can have a better life.

It is essential for 145,416 students that we continue to travel down our "road to a quality education." Ninety-three percent of our students attend Montana's public schools. Montana parents rely on our public schools to educate their children -- to make sure their children do better than they did, achieve more than they achieved, and learn more than they have. We must keep moving forward down this road. To go backwards would be devastating.

A child only passes through third grade once or tenth grade once. They depend on us to make sure we provide them

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with a quality education that year and every year they attend our schools. Even as far back as 1906 the value of public education was not in question.

You and I know there is still work to be done...important work. Let's take a look at some of that work.

Full-Time Kindergarten

You've had access to a lot of information already on Full-Time Kindergarten. Simply put, the single best way we can improve student achievement in school is Full-Time Kindergarten. I'll continue to twist your arms one-by-one or one committee at a time.

Already the Senate has acted. My deep appreciation goes out to the Senate Democrats and the majority of the Senate Republicans who have now cast votes in support of Full-Time Kindergarten. Montana kids now await the action of the House. I know you won't let them down. Please join me in thanking Senator Williams and Representative Grinde for their leadership.

Quality Educators

My thanks to Representative Branae for sponsoring HB 152 which addresses the need to recruit and retain quality educators by increasing the Quality Educator component. In addition, HB 152 utilizes the inflation adjustment for all school funding components, allowing school districts some mechanism to ensure that inflation is taken into account when planning budgets for the next school year. Please help me say thanks to Representative Branae.

Indian Education for All

The 2005 Legislature, for the first time, put substantial resources into meeting our Constitutional responsibility to recognize "the distinct and unique cultural heritage of American Indians and is committed in our educational goals to the preservation of their cultural integrity."

We are well on our way to helping all Montana schools meet this responsibility. The Office of Public Instruction is making incredible progress in developing curriculum materials and providing educators the necessary training to integrate Indian Education for All into their classrooms.

The Montana Legislature is leading the nation in this effort. Montana is recognized by all states that serve American Indian students as breaking ground in Indian Education for All. The Governor of South Dakota, a Republican, has proposed Indian Education for All legislation in their current session for their students. Their State Superintendent is citing Montana as their example.

We cannot end our efforts just as they are beginning. Our kids – all of our kids – deserve better.

Meth Education

Through a partnership with Attorney General Mike McGrath and the Office of Public Instruction we have developed a Meth Prevention toolkit for schools. I applaud the Attorney General for his leadership in combating this devastating drug that has found its way into all of our Montana communities. Mike – you have my admiration and my thanks!

Teen Suicide Prevention

Teen suicide is a deep and dark wound on our Montana communities. Montana has one of the highest teen suicide rates in the country. More than 10% of our Montana high school students have attempted suicide. In a classroom of 20 students, that's 2 of your students who have attempted suicide. Representative Bill Jones has begun to address the need to focus some help for our schools in this area. Thank you, Representative Jones, for your leadership and courage to tackle this very serious issue – I applaud you!

To close my last State of Education Address, I'd like to leave you with a memory of my elementary school days. It will explain to you why I have given you an apple for each of my four education addresses. First, you must promise

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me you will not touch the apple until I have left the House Chamber.

When I was in elementary school and our teachers had a birthday or won a special award, we really didn't have the money to buy them a present. So we would throw them a "fruit roll." We'd pick a fruit roll captain and we'd all bring a round fruit to school – bananas and pears didn't work and oranges were hard to get, but apples were plentiful. We would hide the apples in our desks when we got to school.

At some time during the day when the teacher was writing on the chalkboard and had his/her back to us, the fruit roll captain would yell "fruit roll" and we would all roll our apples down the aisles toward the teacher. Since the floors in our school were all wooden everyone in the school would hear the apples rolling and would know that some teacher got a fruit roll. All the teachers would run to our classroom and help the teacher pick up the fruit to take home to share with their family. It's one of my fondest memories of elementary school. Over the years I've come to realize how unique this was as I've not heard of many people talk about having fruit rolls in their elementary schools.

Several years into my teaching career I shared this story with a few of my students one fall day when the lunchroom served apples. Several months went by and in May during Teachers' Appreciation week I had fourth graders in my library. I turned around to pick up materials for what was to be a really brilliant lesson on the Dewey Decimal System, and I heard one of the students yell "fruit roll!" Rolling up the aisle came 20 apples. I'm not sure I ever got around to teaching that brilliant lesson on the Dewey Decimal System that day.

That evening I called up my third grade teacher, Mrs. Bradds, who I hadn't seen since I was a kid. She answered the phone and I said, "Mrs. Bradds, it's Linda Harman." That was my maiden name, same name you'll remember as the Montana State Superintendent in 1906. She answered, "Why hello, Linda." Just like I'd seen her yesterday. I told her I was now a teacher. She sounded pleased and I thought hid her shock very well. I then said, "Mrs. Bradds, my students threw me a fruit roll today." Without missing a beat, she said, "Well, of course they did, Linda."

Like it happens every day!

So you see, for me an apple is not just the symbol for teachers. An apple reminds me of our students and the promise a quality education holds for their future. For me an apple is the symbol of public education and all that it has given me during my life.

Each of my 145,416 students must have a quality education to guide them through the rest of their lives. My students are depending on you to keep moving education down the path that will guarantee a quality education for them. Montana cannot build a first-class economy with a second-class school system. Continuing down the road to a quality education is not just about my kids, it's about all of us --- it's about the future of Montana.

Thank you for your time today!

President Cooney thanked Superintendent McCullough for her State of the Education speech.

The committee escorted Superintendent McCullough and guests from the chamber.

Senator Majority Leader Williams moved the joint session be adjourned. Motion carried.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease.

REPORTS OF STANDING COMMITTEES

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BILLS (L. Jones, Chairman):

2/8/2007

Correctly printed: **HB 328, HB 449, HB 469.**

Correctly engrossed: **HB 58, HB 291, HB 299, HB 403, HB 437, HB 461, HB 473.**

JUDICIARY (Rice, Chairman):

2/8/2007

HB 217, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND IMPLEMENT"

2. Title, line 7.

Strike: "CONTINUED CONTROL BY THE"

Strike: "OF"

Insert: "TO EXPRESS A PREFERENCE IN"

3. Title, line 11.

Strike: "AN IMMEDIATE EFFECTIVE DATE AND"

4. Page 1, line 13 through page 2, line 2.

Strike: the preamble in its entirety

5. Page 2.

Following: the enacting clause

Insert: " NEW SECTION. **Section 1. Legislative intent.** It is the intent of the legislature in enacting [section 2] and this section to provide a method whereby a custodial parent whose child has been removed from the home by the department pursuant to Title 41, chapter 3, may have an opportunity to express a preference, whenever appropriate, for the child's education and ethnic, cultural, and religious training and general upbringing until the child has been returned to the parent or the parent has been declared to be unfit and the parental rights of the parent have been terminated by a court of law."

Renumber: subsequent sections

6. Page 2, line 8.

Following: the second "as"

Insert: "reasonably"

7. Page 2, line 10.

Strike: ", wishes, and desires"

Following: "education,"

Insert: "ethnic, cultural,"

Following: "religious"

Insert: ", "

8. Page 2, line 11.

Strike: "wishes"

Insert: "desires, whenever appropriate,"

Strike: "continue or"

Strike: "implemented"

Insert: "followed, if reasonably possible"

9. Page 2, line 13.

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Strike: "education" through "child"
Insert: "child's life"

10. Page 2, line 14.
Strike: "manner in"
Insert: "extent to"

11. Page 2, line 15.
Following: "information"
Insert: ", if any,"

12. Page 2, line 18.
Strike: "where"
Strike: "child attends"
Insert: "child's"
Following: ", "
Insert: "friends and associates,"

13. Page 2, line 19.
Strike: "peers"
Insert: "friends and associates"

14. Page 2, line 23.
Strike: "with as part of those organizations"

15. Page 2, line 27 through page 3, line 5.
Strike: "to" on line 27 through "plan" on line 5
Insert: "containing a summary of the information collected pursuant to subsection (1), which the department shall incorporate into the child's case plan"

16. Page 3, line 13.
Strike: "[Section 1] is"
Insert: "[Sections 1 and 2] are"

17. Page 3, line 14.
Strike: "section 1"
Insert: "sections 1 and 2"

18. Page 3, line 16.
Strike: section 3 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):
HB 112, introduced bill, be amended as follows:

2/9/2007

1. Page 2, line 2.
Following: "rescue"
Insert: "in coordination with other authorities having jurisdiction"

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2. Page 2, line 18.

Strike: "shall"

Insert: "may"

3. Page 2, line 21.

Following: "by"

Insert: "a certified city, county, or town building code jurisdiction or"

4. Page 2, line 22.

Following: "industry's"

Strike: "building codes bureau"

Insert: "bureau of building and measurement standards"

And, as amended, do pass. Report adopted.

HB 235, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "PROMOTION,"

Insert: "AND"

Strike: ", AND SALES"

2. Title, page 1, line 7.

Following: "PURPOSE;"

Insert: "ALLOWING CLASSIFICATION CRITERIA TO BE USED IN ASSESSING COSTS;"

3. Title, page 1, line 8.

Following: "7-12-1111,"

Insert: "7-12-1121, 7-12-1132,"

4. Page 1, line 20.

Following: "promotion,"

Insert: "and"

Strike: ", and sales"

5. Page 1, line 29 and 30.

Strike: ", including" on line 29 through "7-12-1102" on line 30

Insert: "of providing overnight stays at lodging facilities"

6. Page 2, line 3.

Insert: "**Section 3.** Section 7-12-1121, MCA, is amended to read:

"7-12-1121. Board of trustees -- appointment -- number -- term of office. (1) When the governing body of a local government adopts an ordinance creating a business improvement district, the appointing authority, with the approval of the governing body, shall appoint not less than five or more than seven owners of property, or their assignees, within the district to comprise the board of trustees of the district. The membership of a board of trustees for a business improvement district created for the purpose of 7-12-1102(4) must include the director of a nonprofit convention and visitors bureau, as defined in 15-65-101, if a nonprofit convention and visitors bureau is operating within the governing body's jurisdiction.

(2) The number of members of the board, once established, may be changed within these limits from time to time by subsequent resolutions of the governing body of the local government. A resolution to reduce board

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membership may not require resignation of any member prior to completion of ~~his~~ the member's appointed term.

(3) Three of the members who are first appointed must be designated to serve for terms of 1, 2, and 3 years, respectively, from the date of their appointments, and two must be designated to serve for terms of 4 years from the date of their appointments. For a seven-member commission, there must be two additional appointments for terms of 2 years and 3 years, respectively.

(4) After initial appointment, members must be appointed for a term of office of 4 years, except that a vacancy occurring during a term must be filled for the unexpired term. A member ~~shall hold~~ holds office until ~~his~~ the member's successor has been appointed and qualified.""

"Section 4. Section 7-12-1132, MCA, is amended to read:

"7-12-1132. Annual budget and work plan -- approval -- procedure -- tax. (1) At a time determined by the governing body, the board shall submit to the governing body for approval a work plan and budget for the ensuing fiscal year.

(2) A board created for the purpose of 7-12-1102(4) in a municipality or county where a nonprofit convention and visitors bureau, as defined in 15-65-101, is operating shall consult with the nonprofit convention and visitors bureau in developing a work plan and budget for the ensuing fiscal year.

~~(2)~~(3) Following public notice that a work plan and budget have been submitted and that the governing body will levy an assessment to defray the cost of the work plan and budget, the governing body shall hold a public hearing on objections to the work plan and budget. After the hearing, the governing body may modify the work plan and budget as it considers necessary and appropriate.

~~(3)~~(4) After approval of the work plan and budget and to defray the cost ~~thereof~~ of the work plan and budget for the next fiscal year, the governing body shall by resolution levy an assessment upon all of the property in the district using as a basis one of the methods prescribed in 7-12-1133.

~~(4)~~(5) A copy of the resolution ~~shall~~ must be delivered to the treasurer of the local government to be placed on the tax roll and collected in the same manner as other taxes."

Renumber: subsequent section

7. Page 2, line 6.

Following: "options"

Insert: "-- provisions for property classifications"

8. Page 2, line 27.

Strike: "or"

Insert: "(f) if the governing body determines that benefits derived by each lot or parcel are disproportional, the governing body may use classification criteria, such as location within the district, economic impact, or any other measurable criteria, in conjunction with methods of assessing fees outlined in this subsection (2). Each classification must have its own rate. There may not be more than six classifications upon which a charge is imposed."

Renumber: subsequent subsection

9. Page 2, line 29.

Strike: "(2)(e)"

Insert: "(2)(f)"

And, as amended, do pass. Report adopted.

HB 253, do pass. Report adopted.

HB 426, do pass. Report adopted.

HB 433, do pass. Report adopted.

HB 510, introduced bill, be amended as follows:

1. Title, page 1, line 4.

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Following: "COUNCIL"

Insert: "OR A BOARD OF COUNTY COMMISSIONERS"

2. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS 7-12-2202 AND"

3. Page 1, line 9.

Insert: "Section 1. Section 7-12-2202, MCA, is amended to read:

"7-12-2202. Apportionment of costs of maintaining lighting system. (1) The cost of the maintenance and operating service to ~~said~~ a lighting rural improvement district may be apportioned among the various tracts of land within ~~said improvement~~ the district:

(a) in proportion to the assessed value of ~~said the~~ lands within ~~said improvement~~ the district, as determined by the board of county commissioners;

(b) by assessing the cost equally against each of the lots or parcels located within the district;

~~(b)(c)~~ at the option of ~~said the~~ board and as determined by ~~said the~~ board, in proportion to the lineal front footage of each tract, any part of which is in the district and abuts the street or roadway along which the lighting system is to be maintained; or

~~(c)(d)~~ in proportion to the area, as determined by ~~said the~~ board, of that portion of each tract included in the district.

(2) (a) Before the first Monday of September of each year, the board shall pass and finally adopt a resolution levying and assessing upon all the property within the district an amount equal to the whole cost of maintaining ~~said the~~ lighting system. The ~~same shall levy and assessment must~~ be proportioned against the ~~several~~ tracts of land in ~~said the~~ district as provided in this part.

(b) ~~Said The~~ resolution levying assessments to defray the cost of maintenance ~~shall must~~ be prepared and certified to in the same manner as ~~near as may be to~~ a resolution levying assessments for making, constructing, and installing ~~the improvements in said special improvement districts~~ the district."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/9/2007

HB 345, do pass. Report adopted.

HB 490, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "return"

Insert: "form"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/9/2007

HB 532, do pass. Report adopted.

HB 351, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "OFFICE;"

Insert: "PROVIDING AN EXCEPTION FOR EMPLOYMENT CONTRACTS;"

2. Page 1, line 11.

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Following: "legislators."

Insert: "(1)"

Strike: "section"

Insert: "subsection (1)"

3. Page 1, line 13.

Strike: "(1)"

Insert: "(a)"

4. Page 1, line 15.

Strike: "(2)"

Insert: "(b)"

5. Page 1, line 17.

Strike: "(3)"

Insert: "(c)"

6. Page 1, line 18.

Strike: "(4)"

Insert: "(d)"

7. Page 1.

Following: line 19

Insert: "(2) For the purposes of subsection (1)(c), "accept employment" does not mean accepting a renewal or an extension of a state employment contract."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/8/2007

SB 266, introduced by Shockley

SB 272, introduced by O'Neil

SB 278, introduced by Gillan

SB 322, introduced by Brueggeman

SB 324, introduced by Jackson

SB 370, introduced by Tash

SJR 3, introduced by Weinberg

SJR 4, introduced by Curtiss

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 616, introduced by McChesney, Gillan, Groesbeck, Thomas, Olson, J. Tropila, referred to Business and Labor.

HB 617, introduced by Sinrud, Parker, Ripley, Taylor, Arntzen, MacLaren, Hilbert, L. Jones, Barrett, Sonju, Nooney, referred to Human Services.

HB 618, introduced by Sinrud, referred to Appropriations.

HB 619, introduced by Sinrud, referred to State Administration.

HB 620, introduced by Dutton, referred to State Administration.

HB 621, introduced by McGillvray, Dutton, Mendenhall, Arntzen, Lange, Himmelberger, Kerns, Sales, MacLaren referred to Human Services.

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HB 622, introduced by McGillvray, Dutton, Mendenhall, Arntzen, Koopman, Lange, Himmelberger, Kerns, Sales, Barrett, MacLaren, referred to Human Services.

HB 623, introduced by Olson, referred to Taxation.

HB 624, introduced by Clark, referred to Judiciary.

HB 625, introduced by Wells, Boggio, Everett, Blasdel, Butcher, Hilbert, Ripley, Heinert, referred to Judiciary.

HB 626, introduced by Kerns, referred to Federal Relations, Energy, and Telecommunications.

HB 627, introduced by Hilbert, Lambert, Taylor, Nooney, Blasdel, Klock, Pomnichowski, Parker, MacLaren, Olson, Stahl, Beck, Butcher, McChesney, Himmelberger, Arntzen, McNutt, Harrington, Everett, Vincent, Lake, Furey, K. Peterson, Cohenour, O'Hara, Kottel, Groesbeck, Kitzenberg, Brown, Rice, Ebinger, Williams, L. Jones, Boggio, Ross, Sonju, Hamilton, Lewis, Steinbeisser, Bales, Black, Branae, Lange, Reinhart, Sinrud, Ingraham, Ripley, Hendrick, McGillvray, referred to Appropriations.

HB 628, introduced by K. Peterson, referred to Natural Resources.

HB 629, introduced by Hamilton, referred to Judiciary.

HB 630, introduced by Gallik, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gallik in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 20 - Representative Lange moved consideration of **HJR 20** be passed for the day. Motion carried.

HB 413 - Representative Lange moved consideration of **HB 413** be passed for the day. Motion carried.

HB 11 - Representative Kasten moved **HB 11** do pass.

HB 11 - Representative Bergren moved **HB 11**, second reading copy, be amended.

The amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Milburn, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 11 - The motion that **HB 11** do pass **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 51

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Gallik moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Ripley, Sands, Sesso, Sinrud, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 70

Noes: Arntzen, Barrett, Dutton, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Lake, Lange, MacLaren, Malcolm, McGillvray, O'Hara, Rice, Ross, Stahl, Ward.

Total 20

Excused: Milburn.

Total 1

Absent or not voting: Butcher, Everett, Hawk, Kasten, Kerns, Klock, Koopman, Pomnichowski, Small-Eastman.

Total 9

THIRD READING OF BILLS

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The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 117 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Rice, Ripley, Ross, Stoker, Wells, Witte, Mr. Speaker.

Total 20

Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

HB 143 passed as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 81

Noes: Ankney, Barrett, Boggio, Everett, Hawk, Hendrick, Jayne, Jore, Kasten, Koopman, McGillvray, Rice, Ripley, Sinrud, Taylor, Ward, Mr. Speaker.

Total 17

Excused: Milburn.

Total 1

Absent or not voting: Small-Eastman.

Total 1

HB 419 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

HB 428 passed as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 82

Noes: Ankney, Beck, Boggio, Butcher, Ebinger, Hendrick, Jayne, Jopek, Jore, Kasten, Koopman, McGillvray, Mendenhall, Morgan, Ward, Wells.

Total 16

Excused: Milburn.

Total 1

Absent or not voting: Vincent.

Total 1

HB 526 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Beck.

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Total 1

Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 10, 2007. Motion carried.

House adjourned at 3:02 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 10, 2007

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Phillips who was excused. Quorum present.

Democratic Caucus Leader Villa announced that Democrats would caucus. Majority Leader Lange announced that Republicans would stand at ease. House reconvened at 8:20 a.m.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/9/2007
Correctly printed: **HB 253, HB 345, HB 426, HB 433, HB 532.**
Correctly engrossed: **HB 112, HB 217, HB 235, HB 351, HB 490, HB 510.**

HUMAN SERVICES (Stoker, Chairman): 2/6/2007
HB 414, be adopted. Report adopted.

APPROPRIATIONS (Sinrud, Chairman): 2/10/2007
HB 105, introduced bill, be amended as follows:

1. Page 2, line 10.

Following: "subsection (1)."

Insert: "It is the intent of the legislature that this report be prepared within existing levels of funding."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 2/9/2007
SB 117, introduced by Cobb
SB 173, introduced by Juneau
SB 365, introduced by Story
SB 372, introduced by Balyeat

House joint resolution concurred in and returned to the House: 2/9/2007
HJR 3, introduced by Musgrove

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 631, introduced by Jopek, referred to Natural Resources.
HB 632, introduced by Wiseman, Shockley, referred to State Administration.
HB 633, introduced by Dutton, referred to Business and Labor.
HB 634, introduced by Van Dyk, Driscoll, Boggio, Becker, Dutton, referred to Appropriations.

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HB 635, introduced by Hands, Wilmer, Pomnichowski, Erickson, Van Dyk, Phillips, referred to Taxation.

HB 636, introduced by Bixby, Small-Eastman, Dickenson, Campbell, Branae, Jacobson, Jopek, Jayne, Cordier, Bergren, Parker, Groesbeck, referred to Judiciary.

HB 637, introduced by Klock, Olson, Thomas, referred to Taxation.

HB 638, introduced by Bergren, Gallik, Franklin, Furey, Campbell, Dickenson, Augare, McAlpin, Wilson, Parker, Pomnichowski, McChesney, Jopek, Kottel, Sands, Ebinger, Musgrove, Jacobson, McNutt, Keane, Caferro, Hamilton, Hands, Henry, Cohenour, Erickson, Raser, Branae, Noonan, Phillips, Driscoll, Becker, Wilmer, Reinhart, referred to Appropriations.

HB 639, introduced by Bergren, referred to Appropriations.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 34, introduced by Van Dyk, Larson, Small-Eastman, referred to Natural Resources.

HJR 35, introduced by Ebinger, Barkus, Reinhart, Phillips, Wilmer, Noonan, Cordier, Parker, Jopek, Becker, Grinde, Barrett, Schmidt, Thomas, Stahl, Rice, Bergren, Bixby, Small-Eastman, Branae, Wiseman, Groesbeck, Nooney, O'Hara, Villa, Arntzen, McAlpin, Gallik, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 20 - Representative Milburn moved **HJR 20** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Blasdel, Hawk, Jore, Koopman, Mendenhall, Morgan, Taylor.

Total 7

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 413 - Representative Milburn moved **HB 413** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Bixby, Dickenson, Erickson, Everett, Jopek, Kasten, Musgrove, Raser.

Total 8

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 259 - Representative Reinhart moved **HB 259** do pass.

HB 259 - Representative Reinhart moved **HB 259**, second reading copy, be amended as follows:

1. Page 2, line 17.

Following: "(i)"

Insert: "allow the diversion of gray water from wastewater treatment systems and"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: Sinrud.

Total 1

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HB 259 - The motion to pass **HB 259** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Rice, Ripley, Sinrud, Stoker, Taylor, Witte, Mr. Speaker.

Total 16

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 334 - Representative McChesney moved **HB 334** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 347 - Representative Boggio moved **HB 347** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 97

Noes: Jore, Witte.
Total 2

Voted Absentee: Phillips, Aye.

Excused: None.
Total 0

Absent or not voting: O'Hara.
Total 1

HB 431 - Representative Blasdel moved **HB 431** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: McGillvray, Mendenhall.
Total 2

Voted Absentee: Phillips, Aye.
Excused: None.
Total 0

Absent or not voting: Arntzen, O'Hara.
Total 2

HB 306 - Representative Jore moved **HB 306** do pass.

HB 306 - Representative Keane moved for cloture. Motion carried.

HB 306 - The motion to pass **HB 306** failed as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Mr. Speaker.
Total 36

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Noes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 64

Voted Absentee: Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 380 - Representative Furey moved **HB 380** do pass. Motion **failed** as follows:

Ayes: Augare, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 402 - Representative Noonan moved **HB 402** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Himmelberger, Ingraham, Jayne, L.

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Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 37

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 469 - Representative McNutt moved **HB 469** do pass.

HB 469 - Representative Cohenour moved **HB 469**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 36

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Noonan, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 63

Voted Absentee: Phillips, Aye.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

HB 469 - The motion to pass **HB 469** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 79

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Erickson, Grinde, Hamilton, Hands, Henry,

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McAlpin, Musgrove, Phillips, Pomnichowski, Sands, Thomas, Villa, Wilmer, Wilson.
Total 21

Voted Absentee: Phillips, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 230 - Representative Koopman moved **HB 230** do pass.

HB 230 - Representative Keane moved for cloture. Motion passed.

HB 230 - The motion to pass **HB 230 failed** as follows:

Ayes: Beck, Blasdel, Butcher, Everett, Hawk, Heinert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, O'Hara, Rice, Sinrud, Sonju, Stahl, Taylor, Wells, Mr. Speaker.
Total 24

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 76

Voted Absentee: Phillips, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

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Noes: Everett, Jore, Mendenhall, Rice, Sesso, Sonju, Wells.
Total 7

Excused: Phillips.
Total 1

Absent or not voting: Callahan, Himmelberger, Milburn.
Total 3

MOTIONS

Majority Leader Lange moved **HB 413** be rereferred to the Committee on Appropriations. Without objections, so ordered.

Majority Leader Lange moved **HB 259** be rereferred to the Committee on Appropriations. Without objections, so ordered.

SPECIAL ORDERS OF THE DAY

Representative Himmelberger and Representative Parker addressed the body on decorum of the House.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, February 12, 2007. Motion carried.

House adjourned at 11:18 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 12, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

The Speaker introduced the pages for the week:

Pages:	Cyrus Gilbert, Missoula
	Shawn Adams, Helena
	Mary Lemke, Livingston
	Walker Stole, Livingston
	Bethany Seifert, Glendive
	Brooke McLendon, Bozeman
	Marcia Levitan, Helena
	Lindsey Lashelle, Bozeman
	Ryne Dougherty, Missoula

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:	2/10/2007
SB 78 , introduced by Larson	
SB 99 , introduced by Harrington	

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):	2/10/2007
Correctly printed: HB 414 .	
Correctly enrolled: HJR 3 .	2/9/2007
Examined by the sponsor and found to be correct: HJR 3 .	2/12/2007
Signed by the Speaker at 11:15 a.m., February 12, 2007: HJR 3 .	
Signed by the President at 11:30 a.m., February 12, 2007: HJR 3 .	
Delivered to the Secretary of State at 11:10 a.m., February 12, 2007: HJR 3 .	

APPROPRIATIONS (Sinrud, Chairman):	2/10/2007
HB 371 , introduced bill, be amended as follows:	

1. Title, line 8.
Following: "PROPOSAL;"
Insert: "PROVIDING A LIMIT ON ADMINISTRATIVE COSTS;"

2. Page 1, line 13.
Following: "Appropriation."
Insert: "(1)"

3. Page 1, line 15.
Strike: "(1)"

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Insert: "(a)"

4. Page 1, line 19.

Strike: "(2)"

Insert: "(b)"

5. Page 1, line 20 through line 21.

Strike: "American" on line 20 through "Law 105-277" on line 21

Insert: "Immigration and Nationality Act, 8 U.S.C. 1101, et seq."

6. Page 1.

Following: line 22

Insert: "(2) Administrative costs may be no more than 7% of the appropriation in each fiscal year.

(3) The Montana manufacturing extension center shall provide a report to the legislative finance committee at the end of fiscal year 2008 and fiscal year 2009 on how these funds have been spent and on outcomes achieved through the expenditure of these funds."

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

2/12/2007

HJR 19, introduced joint resolution, be amended as follows:

1. Title, page 1, line 7 and line 8.

Following: "INFORMATION"

Strike: "OR TO BRING" on line 7 through "ATTORNEY GENERAL" on line 8

2. Page 2, line 12 through line 15.

Strike: line 12 through line 15

And, as amended, be adopted. Report adopted.

JUDICIARY (Rice, Chairman):

2/12/2007

HB 340, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "5"

Insert: "4"

2. Page 2, lines 13 through 17.

Strike: section 5 in its entirety

Renumber: subsequent sections

3. Page 2, line 23.

Following: "custody"

Strike: ", "

Strike: "2"

Insert: "72"

Strike: ", to secure the safety of persons at the scene"

4. Page 2, line 25.

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Strike: "2-hour"
Insert: "72-hour"

5. Page 2, line 25.
Following: "period"
Insert: "unless a court order is obtained to retain the firearm"

6. Page 3, line 15.
Strike: "immediately"

7. Page 3, line 21.
Following: "sell the firearm"
Insert: "to a licensed dealer"

8. Page 3, line 25.
Strike: ", by contract or otherwise,"

9. Page 3, line 28 through page 4, line 6.
Strike: section 9 in its entirety
Renumber: subsequent sections

10. Page 5, line 29.
Strike: "5"
Insert: "4"

11. Page 6, line 1.
Strike: "5"
Insert: "4"

12. Page 6, line 2.
Strike: "6"
Insert: "5"

13. Page 6, line 3.
Strike: "6"
Insert: "5"

14. Page 6, line 4.
Strike: "7"
Insert: "6"

15. Page 6, line 5.
Strike: "7"
Insert: "6"

16. Page 6, line 6.
Strike: "8"
Insert: "7"

17. Page 6, line 7.
Strike: "8"

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Insert: "7"

18. Page 6, lines 8 and 9.

Strike: subsection (5) in its entirety

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 640, introduced by Grinde, Cohenour, referred to State Administration.

HB 641, introduced by Musgrove, Laslovich, Van Dyk, Brueggeman, Bergren, Villa, Windy Boy, referred to Judiciary.

HB 642, introduced by Milburn, referred to Fish, Wildlife and Parks.

HB 643, introduced by Sinrud, Taylor, Wells, MacLaren, Sales, Hendrick, Lange, Koopman, Lewis, Witte, Ripley, Beck, Nooney, Blasdel, Lake, O'Hara, Clark, Brueggeman, Klock, Boggio, Heinert, Himmelberger, Ingraham, referred to Judiciary.

HB 644, introduced by Sonju, referred to Taxation.

HB 645, introduced by K. Peterson, referred to Judiciary.

HB 646, introduced by Butcher, referred to Business and Labor.

HB 647, introduced by Furey, referred to State Administration.

HB 648, introduced by Ward, Perry, Murphy, Olson, Lewis, referred to Judiciary.

HB 649, introduced by Sinrud, Parker, referred to Local Government.

HB 650, introduced by Koopman, Jore, referred to State Administration.

HB 651, introduced by Cordier, referred to Education.

HB 652, introduced by McAlpin, Campbell, Sands, French, Pomnichowski, Dickenson, Erickson, Furey, Hands, Wilson, Franklin, Windy Boy, Caferro, Becker, Van Dyk, Hamilton, Bergren, Cohenour, Wilmer, Reinhart, Jacobson, Henry, Driscoll, Phillips, Cordier, Sesso, Hollenbaugh, Erickson, Grinde, Raser, referred to Business and Labor.

HB 653, introduced by McAlpin, Sands, Callahan, Erickson, Sesso, Wilson, Hamilton, French, Phillips, Raser, Reinhart, Hollenbaugh, Cohenour, Henry, Bixby, Wilmer, Ebinger, Cordier, Ward, Small-Eastman, Branae, referred to Judiciary.

HB 654, introduced by McAlpin, Campbell, Sands, French, Wilmer, Dickenson, Hamilton, Henry, Callahan, Erickson, Hands, Wilson, Franklin, McChesney, Raser, Ebinger, Ward, Jopek, Bixby, Reinhart, Parker, Cordier, Van Dyk, Hollenbaugh, Cohenour, Jacobson, Pomnichowski, Grinde, Phillips, Small-Eastman, Branae, referred to Judiciary.

HB 655, introduced by Branae, Van Dyk, Driscoll, Moss, Grinde, Becker, Small-Eastman, Musgrove, Gillan, referred to Business and Labor.

HB 656, introduced by Hollenbaugh, Kaufmann, referred to Judiciary.

HB 657, introduced by Ebinger, Parker, Malcolm, McAlpin, referred to Judiciary.

HB 658, introduced by Sinrud, Parker, referred to Appropriations.

HB 659, introduced by Everett, referred to Federal Relations, Energy, and Telecommunications.

HB 660, introduced by Cohenour, Augare, referred to Judiciary.

HB 661, introduced by Cohenour, referred to Judiciary.

HB 662, introduced by Villa, referred to Local Government.

HB 663, introduced by Villa, referred to State Administration.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. The House reconvened at 1:25.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 328 - Representative Lange moved consideration of **HB 328** be placed at the top of the second reading board. Motion carried.

HB 403 - Representative Lange moved consideration of **HB 403** be placed below **HB 437** on the second reading board. Motion carried.

HB 328 - Representative Stahl moved **HB 328** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 364 - Representative Malcolm moved **HB 364** do pass.

HB 364 - Representative Barrett moved **HB 364**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Ebinger, Glaser, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Witte, Mr. Speaker.

Total 43

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Kasten, Keane, Koopman, Kottel, McAlpin, McChesney, Morgan, Musgrove, Noonan, Parker, Peterson, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 364 -The Motion to pass **HB 364** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Dutton, Ebinger, French, Furey, Glaser, Grinde, Hamilton, Heinert, Henry, Hilbert, Himmelberger, Hiner, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Nooney, O'Hara, Olson, Reinhart, Rice, Ripley, Ross, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wiseman, Witte.

Total 59

Noes: Becker, Bixby, Branae, Callahan, Cordier, Dickenson, Driscoll, Erickson, Everett, Franklin, Gallik, Groesbeck, Hands, Hawk, Hendrick, Hollenbaugh, Ingraham, Jayne, Jopek, Jore, Kasten, Koopman, Kottel, McAlpin, McChesney, Morgan, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Sands, Sesso, Van Dyk, Wells, Wilmer, Wilson, Windy Boy, Mr. Speaker.

Total 40

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: Sinrud.

Total 1

HB 437 - Representative Gallik moved **HB 437** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

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Noes: None.
Total 0

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: Blasdel.
Total 1

HB 403 - Representative Jore moved **HB 403** do pass.

HB 403 - Representative Ward moved **HB 403**, second reading copy, be amended as follows:

1. Title, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "PENALTY," on line 7

2. Page 1, line 24 through line 25.

Strike: "(5)" on line 24 through "CONDUCT," on line 25

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 403 - Representative McGillvray moved for cloture.

HB 403 - The motion to pass **HB 403 failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange,

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MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 46

Noes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 54

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress and beg leave to sit again.. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Hawk, Hendrick, Jore, Koopman, Lake, MacLaren, Rice, Sinrud, Ward, Wells.

Total 10

Excused: Milburn.

Total 1

Absent or not voting: Grinde, Hilbert, Jopek, Van Dyk.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 334 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Gallik, Morgan.

Total 2

Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

HB 347 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jore, Koopman.

Total 2

Excused: Milburn.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

HB 402 passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 64

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 35

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Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

HB 431 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Milburn.

Total 1

Absent or not voting: None.

Total 0

HB 469 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 82

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Erickson, Gallik, Hamilton, Hands, Henry, McAlpin, Musgrove, Pomnichowski, Van Dyk.

Total 16

Excused: Milburn.

Total 1

Absent or not voting: Stahl.

Total 1

HJR 20 adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Blasdel, Hawk, Jore, Koopman, Lake, Mendenhall, Morgan, Ross, Taylor, Vincent.
Total 10

Excused: Milburn.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman): 2/12/2007
HB 420, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved **HB 364** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

SPECIAL ORDERS OF THE DAY

HB 646, introduced by Butcher, the following sponsors were added:
Reps. Beck, Blasdel, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kerns, Koopman, McGillvray, Mendenhall, Nooney, O'Hara, Olson, Peterson, Ripley, Sales, Sinrud, Sonju, Stahl, Stoker, Vincent, Ward, Wells, Witte.

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House be in recess until 5:10 p.m., same day. There being no objections, so ordered.

House reconvened at 5:13 p.m. Mr. Speaker in the Chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House again resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 449 - Representative Pomnichowski moved **HB 449** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Himmelberger, Koopman, McGillvray.

Total 3

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

HB 329 - Representative Windy Boy moved **HB 329** do pass.

HB 329 - Representative Caferro moved **HB 329**, second reading copy, be amended as follows:

1. Page 1, line 28 through page 2, line 1.

Strike: "AN" on line 28 through "SECTION." on line 1

2. Page 2, line 4 through line 7.

Strike: the first "AN" on line 4 through "SECTION." on line 7

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Barrett, Beck, Blasdel, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Koopman, Lake, Milburn, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Milburn, No.

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Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 329 - The motion to pass **HB 329** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Everett, Hawk, Jore, Malcolm, Ripley.
Total 5

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: Kasten.
Total 1

HB 253 - Representative Ross moved **HB 253** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: Kasten.

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Total 1

HB 345 - Representative Lange moved **HB 345** do pass.

HB 345 - Representative Van Dyk moved **HB 345**, second reading copy, be amended as follows:

1. Title, line 5 through line 6.

Strike: "PROVIDING" on line 5 through "CREDIT;" on line 6

2. Page 1, line 12.

Strike: "(7)"

Insert: "(6)"

Strike: "(8)"

Insert: "(7)"

3. Page 1, line 14.

Strike: "\$10" through second "month"

Insert: "3% of the gross rent paid by the taxpayer"

4. Page 1, line 23.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

5. Page 1, line 24.

Following: "(5)"

Insert: "(a)"

6. Page 1.

Following: line 25

Insert: "(b) If two or more individuals are sharing a dwelling, each individual may claim the credit based on the proportional share that the individual pays of the gross rent."

7. Page 1, line 28.

Strike: "gross household"

Insert: "adjusted gross"

8. Page 1, line 29 through line 30.

Strike: "For" on line 29 through "15-30-171(9)(b)." on line 30

9. Page 2, line 3 through line 6.

Strike: subsection (9) in its entirety

Renumber: subsequent subsection

10. Page 2, line 15.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

11. Page 2, line 17.

Strike: subsection (d) in its entirety

Renumber: subsequent subsection

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Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Kasten, Milburn, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 - The motion to pass **HB 345** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Campbell, Everett, Hawk, Ingraham, Jore, Kerns, Koopman, Malcolm, Noonan.

Total 9

Voted Absentee: Kasten, Milburn, Ayes.

Excused: None.

Total 0

Absent or not voting: Jayne.

Total 1

HB 426 - Representative Ross moved **HB 426** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Koopman, Mendenhall.

Total 2

Voted Absentee: Kasten, Milburn, Ayes.

Excused: None.

Total 0

Absent or not voting: Beck, Ripley.

Total 2

HB 433 - Representative Wiseman moved **HB 433** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Kasten.

Total 1

Voted Absentee: Milburn, Aye; Kasten, No.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

HB 532 - Representative Jacobson moved **HB 532** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski,

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Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Everett, Jore, Kasten.

Total 3

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: Phillips, Sonju.

Total 2

HJR 13 - Representative Ankney moved **HJR 13** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 66

Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cordier, Dickenson, Driscoll, Franklin, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Taylor, Thomas, Van Dyk, Wilson, Wiseman.

Total 34

Voted Absentee: Milburn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 291 - Representative Ross moved **HB 291** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

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Noes: None.
Total 0

Voted Absentee: Milburn, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 461 - Representative Ebinger moved **HB 461** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Beck, Butcher, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Milburn, Rice, Ripley, Ross, Sinrud, Stoker, Wells, Witte, Mr. Speaker.
Total 22

Voted Absentee: Milburn, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Everett, Hawk, Koopman, McGillvray, Sinrud, Sonju.
Total 6

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Excused: Milburn.
Total 1

Absent or not voting: Stahl.
Total 1

MOTIONS

Representative French moved that her vote be changed on **HJR 13**. Representative Sinrud objected. Representative Parker moved that this vote change be allowed but that vote changes not be allowed in the future. There being no objections, so ordered.

Majority Leader Lange moved that **HB 605** be taken from the Committee on Judiciary and be rereferred to the Committee on Business and Labor. There being no objection, so ordered.

Majority Leader Lange moved that **HB 654** be taken from the Committee on Judiciary and be rereferred to the Committee on Business and Labor. There being no objection, so ordered.

Majority Leader Lange moved that **HB 329** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 345** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 461** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, February 13, 2007. Motion carried.

House adjourned at 6:25 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 13, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Henry. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. The House reconvened at 1:20 p.m.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the twenty-ninth, thirtieth and thirty-first legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/12/2007
Correctly printed: **HB 420**.
Correctly engrossed: **HB 340, HB 371**.

EDUCATION (Jore, Chairman): 2/12/2007
HB 417, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "REVISING SCHOOL FINANCE LAWS;"
2. Title, line 5 through line 6.
Following: "FINANCING" on line 5
Insert: "SCHOOL"
Following: "ANNEXATION;" on line 5
Strike: remainder of line 5 through "BELONGING;"
3. Title, line 6.
Following: "20-6-422,"
Insert: "AND"
4. Title, line 7.
Strike: "AND 20-9-311,"
5. Page 5, line 23 through page 13, line 30.
Strike: section 6 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman): 2/13/2007
HJR 8, be adopted. Report adopted.

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HJR 14, introduced joint resolution, be amended as follows:

1. Page 1, line 22.

Following: "refusal"

Insert: "at the appraised value"

And, as amended, be adopted. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

2/13/2007

HB 25, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

Strike: "CLARIFYING" on line 6 through "PROVISIONS;" on line 7

2. Title, line 10.

Strike: "PREAPPROVAL"

Insert: "APPROVAL"

Strike: "NEW"

3. Title, line 11.

Following: "RESOURCES;"

Insert: "CLARIFYING USE OF GENERATION ASSETS;"

Following: "35-19-102,"

Insert: "69-1-114,"

Strike: "69-8-102,"

4. Title, line 12.

Following: "69-8-311,"

Insert: "69-8-403, 69-8-411,"

5. Title, line 12.

Following: "69-8-421,"

Insert: "69-8-602, 69-8-603,"

6. Title, line 13.

Following: "SECTIONS"

Insert: "69-8-102,"

7. Title, line 14.

Strike: "69-8-401, 69-8-403,"

Following: "69-8-409,"

Insert: "AND"

8. Title, line 15.

Strike: "AND 69-8-411,"

9. Page 1, line 26.

Following: "line"

Insert: "or substation"

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10. Page 4, line 5.

Insert: "Section 4. Section 69-1-114, MCA, is amended to read:

"69-1-114. Fees. (1) Each fee charged by the commission must be reasonable.

(2) Except for a fee assessed pursuant to 69-3-204(2), ~~69-8-421(7)~~ 69-8-421(9), or 69-12-423(2), a fee set by the commission may not exceed \$500.

(3) All fees collected by the department under ~~69-8-421(7)~~ 69-8-421(9) must be deposited in an account in the special revenue fund. Funds in this account must be used as provided in ~~69-8-421(7)~~ 69-8-421(9)."

Renumber: subsequent sections

11. Page 4, line 8.

Strike: "Transition"

Insert: "Generation Reintegration"

12. Page 4, line 10 through page 5, line 4.

Strike: section 5 in its entirety

Renumber: subsequent sections

13. Page 6.

Following: line 6

Insert: "(5) "Distribution facilities" means those facilities by—and through which electricity is received from transmission facilities and distributed to a retail customer and that are controlled or operated by a utility."

Renumber: subsequent subsections

14. Page 6, line 7.

Strike: "of"

Insert: "incurred in"

Following: "service"

Insert: "through power purchase agreements, demand-side management, and energy efficiency programs"

15. Page 6, line 13.

Strike: subsection (e) in its entirety

Renumber: subsequent subsections

16. Page 6, line 15.

Strike: subsections (g) in its entirety

Renumber: subsequent sections

17. Page 6, line 16.

Following: ";

Insert: "and"

18. Page 6, line 17 through page 6, line 18.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

19. Page 6, line 20.

Following: "default"

Strike: remainder of line 20

Insert: "power purchase agreements.

(7) "Electricity supply resource" means:

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- (a) contracts for electric capacity and generation;
- (b) plants owned or leased by a utility or equipment used to generate electricity;
- (c) customer load management and energy conservation programs; or
- (d) other means of providing adequate, reliable service to customers, as determined by the commission."

Renumber: subsequent subsections

20. Page 6, line 21.

Following: "services"

Insert: "through power purchase agreements, the acquisition and operation of electrical generation facilities, demand-side management, and energy efficiency programs"

21. Page 7.

Following: line 7

Insert: "(11) "Generation assets cost of service" means a return on invested capital and all costs associated with the acquisition, construction, administration, operation, and maintenance of a plant or equipment owned or leased by a public utility and used for the production of electricity."

Renumber: subsequent subsections

22. Page 7, line 23.

Strike: "distribution services provider's"

Insert: "utility's"

23. Page 7, line 25 through page 7, line 26.

Strike: subsection (15) in its entirety

Renumber: subsequent subsections

24. Page 8, line 3.

Following: "assignees"

Insert: ", on May 2, 1997, including the public utility's successors or assignees"

25. Page 9.

Following: line 22

Insert: "(28) "Transmission facilities" means those facilities that are used to provide transmission services as determined by the federal energy regulatory commission and the commission and that are controlled or operated by a utility."

Renumber: subsequent subsections

26. Page 10, line 6.

Following: "customer"

Insert: "electricity supply service"

27. Page 10, line 29.

Following: "supply"

Insert: "service"

28. Page 11, line 9.

Strike: "may agree to"

Insert: "must"

29. Page 11, line 10.

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Following: "impact"

Strike: "the rates of"

30. Page 12.

Following: line 12

Insert: "(2) (a) A retail customer that has an individual load with an average monthly demand of less than 5,000 kilowatts and that is not purchasing electricity from a public utility on [the effective date of this act] may continue to purchase electricity from an electricity supplier. The retail customer may subsequently purchase electricity from a public utility subject to commission rule or order, but the customer may not, at a later date, choose to purchase electricity from another source.

(b) A retail customer that has an individual load with an average monthly demand of less than 5,000 kilowatts and that is currently purchasing electricity from a public utility may not choose to purchase electricity from another source after [the effective date of this act].

(3) Nothing in this section affects a retail customer's rights and obligations with respect to net metering, cogeneration, self-generation, or ancillary sales of electricity related to deviations from scheduled energy deliveries from nonutility suppliers, as may be provided for in law, commission rule or order, or a tariff approved by the public service commission or the federal energy regulatory commission."

Renumber: subsequent subsections

31. Page 12, line 14.

Strike: "(2)(b)"

Insert: "(4)(b)"

32. Page 12, line 18.

Strike: "(2)(a)"

Insert: "(4)(a)"

33. Page 13, line 1.

Strike: "and"

Insert: ", "

Following: "69-8-420"

Insert: ", and commission rules. The commission may include other utility costs and expenses in the cost recovery mechanism if it determines that including additional costs and expenses is reasonable and in the public interest"

34. Page 14, line 1.

"Section 10. Section 69-8-403, MCA, is amended to read:

"69-8-403. Commission authority-- rulemaking authority. ~~(1) Beginning on the effective date of a commission order regarding a public utility's transition plan, the commission shall regulate the public utility's retail transmission, distribution, and default supply services within the state of Montana, as provided in this chapter.~~

~~—(2) The commission shall license electricity suppliers and enforce licensing provisions pursuant to 69-8-404.~~

~~—(3) The commission shall promulgate rules that identify the licensees and ensure that the offered electricity supply is provided as offered and is adequate in terms of quality, safety, and reliability.~~

~~—(4) The commission shall establish just and reasonable rates through established ratemaking principles for public utility default supply, distribution, and transmission services and shall regulate these services. The commission may approve rates and charges for those services based on alternative forms of ratemaking such as performance-based ratemaking, on a demonstration by the public utility that the alternative method complies with this chapter, and on the public utility's transition plan.~~

~~—(5) The commission shall certify that a cooperative utility has adopted a transition plan that complies with this chapter. A cooperative utility's transition plan is considered certified 60 days after the cooperative utility files for certification.~~

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~~(6) The commission shall promulgate rules that protect consumers, distribution services providers, and electricity suppliers from anticompetitive and abusive practices.~~

~~(7) (a) After July 1, 2010, the commission shall continuously monitor whether or not workable competition has developed for small customers.~~

~~(b) If the commission determines that workable competition has developed for small customers after July 1, 2010, the commission shall provide a report to the legislature that includes recommendations for legislative implementation of customer choice for small customers.~~

~~(8) In addition to promulgating rules expressly provided for in this chapter, the commission may promulgate any other rules necessary to carry out the provision of this chapter.~~

~~(9) This chapter does not give the commission the authority to:~~

~~(a) regulate cooperative utilities in any manner other than reviewing certification filings for compliance with this chapter, or~~

~~(b) compel any change to a cooperative utility's certification filing made pursuant to this chapter."~~

Insert: "Section 11. Section 69-8-411, MCA, is amended to read:

"69-8-411. Nondiscriminatory access == reciprocity. ~~Except as provided in 69-8-311, all electricity suppliers must be afforded open, fair, and nondiscriminatory access to customers and a comparable opportunity to compete. A distribution services provider or the distribution services provider's affiliates may not use another distribution services provider's facilities in the state of Montana to sell electricity to customers in the state of Montana unless the first distribution services provider or the distribution services provider's affiliates offer comparable and nondiscriminatory access to the distribution services provider's distribution facilities within the state of Montana. (1) Nonutility generators and electricity suppliers must have open, fair, and nondiscriminatory access to a public utility's transmission and distribution facilities according to federal energy regulatory commission rules and regulations for purposes of serving those customers identified in 69-8-201(1) and (2).~~

~~(2) Public utilities shall grant the retail customers identified in 69-8-201(1) and (2) and their electricity suppliers access to transmission and distribution facilities at rates and under terms and conditions comparable to the public utility's own access to those facilities or access by the public utility's affiliates.~~

~~(3) Public utilities shall file tariffs for transmission and distribution services regulated by the federal energy regulatory commission and the commission implementing subsections (1) and (2)."~~

Renumber: subsequent sections

35. Page 14, line 17.

Following: "service"

Insert: "and related services"

36. Page 14, line 18.

Following: "the"

Strike: "The"

Insert: "By December 31, 2007, the"

37. Page 14, line 28.

Following: "agreement"

Strike: "preapproval of a new"

Insert: "approval of an"

38. Page 15, line 3.

Strike: "pursuant to 69-8-419"

39. Page 15, line 5 through page 15, line 6.

Strike: "the rules adopted pursuant to 69-8-419"

Insert: "commission rules"

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40. Page 15, line 11 through page 15, line 12.

Following: "with"

Strike: remainder of line 11 through line 12 in their entirety

Insert: "commission rules; and"

41. Page 15, line 16.

Strike: "Preapproval of new"

Insert: "Approval of"

42. Page 15, line 18 through page 15, line 19.

Strike: "preapproval of a new"

Insert: "approval of an"

43. Page 15, line 24 through page 15, line 29.

Strike: subsections (2)(a) and (2)(b) in their entirety

44. Page 15, line 30.

Strike: "(c)"

Insert: "(2)"

45. Page 16, line 1.

Strike: "preapproval"

Insert: "approval"

46. Page 16, line 3 through page 16, line 4.

Following: "explain"

Strike: remainder of line 3 through line 4 in their entirety

Insert: "the deficiencies."

47. Page 16, line 5.

Strike: "(d)"

Insert: "(3)"

Following: "application"

Insert: "for approval of a power purchase agreement from an existing generating resource"

48. Page 16.

Following: line 6

Insert: "(4) The commission shall issue an order within 270 days of receipt of an adequate application for approval of a lease, an acquisition of an equity interest in a new or existing plant or equipment used to generate electricity, or a power purchase agreement for which approval would result in construction of a new electric generating resource. The commission may extend the time limit up to an additional 90 days if it determines that extraordinary circumstances require it."

49. Page 16, line 7.

Strike: "(e)"

Insert: "(5)"

50. Page 16, line 9.

Strike: "preapproval"

Insert: "approval"

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51. Page 16, line 10.

Strike: "(3)"

Insert: "(6)"

Renumber: subsequent subsections

52. Page 16, line 11.

Strike: "preapproval of a new"

Insert: "approval of an"

53. Page 16, line 14.

Strike: "preapproval of a new electricity supply resource"

Insert: "approval"

54. Page 16, line 15 through page 16, line 16.

Strike: "preapproval of a new electricity supply resource"

Insert: "approval of an application"

55. Page 16, line 17.

Strike: "preapproval of all or part of the ~~agreement~~ new electricity supply resource "

Insert: "approval, in whole or in part,"

56. Page 16, line 18.

Following: " ; "

Insert: "and

57. Page 16, line 19 through page 16, line 22.

Strike: subsections (ii) and (iii) in their entirety

Insert: "(ii) procurement of the electricity supply resource is consistent with the requirements in 69-3-201, the objectives in 69-8-419, and commission rules.

(d) The commission order may include a provision for allowable generation assets cost of service when the utility has filed an application for the lease or acquisition of an equity interest in a plant or equipment used to generate electricity."

Renumber: subsequent subsections"

58. Page 16, line 24.

Strike: "preapproval"

Insert: "approval"

59. Page 16, line 25.

Strike: "(3)(c)"

Insert: "(6)(c)"

60. Page 16, line 27.

Strike: "(3)(c)"

Insert: "(6)(c)"

61. Page 16, line 28.

Strike: "incurred under the agreement"

Insert: "related to the approved electricity supply resource"

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62. Page 16, line 29 through page 17, line 4.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

63. Page 17, line 5.

Strike: "cost recovery"

Insert: "rate"

64. Page 17, line 6.

Strike: "and"

Insert: "or"

65. Page 17, line 7.

Strike: "new electricity supply"

Following: "resource"

Insert: "or managed any power supply purchase agreement"

66. Page 17, line 8.

Strike: "electricity supply"

Insert: "rate recovery for the"

67. Page 17, line 10.

Strike: "new"

68. Page 17, line 10 through page 17, line 11.

Following: "in"

Strike: remainder of line 10 through line 11 in their entirety

Insert: "a manner consistent with 69-3-201, 69-8-419, and commission rules."

69. Page 17, line 12.

Following: "independent"

Insert: "engineering, financial, and management"

70. Page 17, line 14.

Strike: "new"

71. Page 17, line 15.

Following: "modeling,"

Strike: "and"

Following: "risk management"

Insert: ", and engineering"

72. Page 17, line 17.

Strike: "electricity supply service"

73. Page 17, line 18 through page 17, line 19.

Strike: subsection (8) in its entirety

Insert: "(10) By December 31, 2007, the commission shall adopt rules prescribing minimum filing requirements for applications filed pursuant to this part."

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74. Page 17, line 20.

Insert: "Section 15. Section 69-8-602, MCA, is amended to read:

"69-8-602. ~~Distribution services provider~~ Utility net metering requirements. A ~~distribution services provider~~ utility shall:

(1) allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission determines, after appropriate notice and opportunity for comment:

(a) that the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and

(b) how the costs of net metering are to be allocated between the customer-generator and the ~~distribution services provider~~ utility; and

(2) charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class. The commission shall determine, after appropriate notice and opportunity for comment if:

(a) the ~~distribution services provider~~ utility will incur direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these net metering systems; and

(b) public policy is best served by imposing these costs on the customer-generator, rather than allocating these costs among the ~~distribution services provider's~~ utility's entire customer base."

Insert: "Section 16. Section 69-8-603, MCA, is amended to read:

"69-8-603. Net energy measurement calculation. Consistent with the other provisions of this part, the net energy measurement must be calculated in the following manner:

(1) The ~~distribution services provider~~ utility shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices.

(2) If the electricity supplied by the electricity supplier exceeds the electricity generated by the customer-generator and fed back to the electricity supplier during the billing period, the customer-generator must be billed for the net electricity supplied by the electricity supplier, in accordance with normal metering practices.

(3) If electricity generated by the customer-generator exceeds the electricity supplied by the electricity supplier, the customer-generator must be:

(a) billed for the appropriate customer charges for that billing period, in accordance with 69-8-602; and

(b) credited for the excess kilowatt hours generated during the billing period, with this kilowatt-hour credit appearing on the bill for the following billing period.

(4) On January 1, April 1, July 1, or October 1 of each year, as designated by the customer-generator as the beginning date of a 12-month billing period, any remaining unused kilowatt-hour credit accumulated during the previous 12 months must be granted to the electricity supplier, without any compensation to the customer-generator."

Renumber: subsequent sections

75. Page 19, line 24.

Insert: "NEW SECTION. Section 18. Use of generation assets. Generation assets acquired by a public utility pursuant to this chapter:

(1) must be used by the public utility to serve and benefit customers within the public utility's Montana service territory; and

(2) may not be removed from the rate base unless the commission finds that customers of the public utility will not be adversely affected."

Insert: "NEW SECTION. Section 19. Codification instruction. [Section 18] is intended to be codified as an integral part of Title 69, chapter 8, part 4, and the provisions of Title 69, chapter 8, part 4, apply to [section 18]."

Renumber: subsequent sections

76. Page 19, line 25.

Following: "Sections"

Insert: "69-8-102,"

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77. Page 19, line 26.

Strike: "69-8-401, 69-8-403,"

78. Page 19, line 27.

Following: "69-8-409,"

Insert: "and"

Strike: "and 69-8-411,"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/13/2007

HB 547, do pass. Report adopted.

HB 520, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: " ; "

Insert: "REVISING WHEN BALLOTS ARE AVAILABLE FOR ABSENTEE VOTING;"

2. Title, page 1, line 11.

Following: "13-13-201,"

Insert: "13-13-205, 13-13-213, 13-13-214,"

3. Page 16, line 1.

Insert: "Section 18. Section 13-13-205, MCA, is amended to read:

"13-13-205. When paper ballots to be available. (1) The election administrator shall ensure that paper ballots are printed and available for absentee voting at least:

(a) 30 days prior to an election for those elections held in compliance with 13-1-107(1);

(b) 20 days prior to an election for those elections held in compliance with 13-1-104(2) and (3) and 13-1-107(2); and

(c) 45 days prior to an election held in conjunction with a federal general election in compliance with 13-1-104(1).

(2) A ballot may not be provided to an elector for absentee voting sooner than 30 days before an election, except that an absentee ballot requested pursuant to Title 13, chapter 21, may be sent to the elector as soon as the ballot is printed.

~~(2) If paper ballots are sent more than 30 days before an election, the election administrator shall include a notice that the voter information pamphlet, when required to be distributed, will be provided pursuant to 13-27-410."~~

Insert: "Section 19. Section 13-13-213, MCA, is amended to read:

"13-13-213. Transmission of application to election administrator -- delivery of ballot. (1) All absentee ballot application forms must be addressed to the appropriate election official.

(2) Except as provided in subsection (4), the elector may mail the application directly to the election administrator or deliver the application in person to the election administrator. An agent designated pursuant to 13-1-116 or a third party may collect the elector's application and forward it to the election administrator.

(3) The election administrator shall compare the signature on the application with the applicant's signature on the registration card. If convinced that the individual making the application is the same as the one whose name appears on the registration card, the election administrator shall deliver the ballot to the elector in person or as otherwise provided in 13-13-214, subject to 13-13-205.

(4) In lieu of the requirement provided in subsection (2), an elector who requests an absentee ballot pursuant to 13-13-212(2) may return the application to the special absentee election board. Upon receipt of the application, the special absentee election board shall examine the signatures on the application and a copy of the voting registration

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card to be provided by the election administrator. If the special absentee election board believes that the applicant is the same person as the one whose name appears on the registration card, the special absentee election board shall provide a ballot to the elector, subject to 13-13-205."

Insert: "Section 20. Section 13-13-214, MCA, is amended to read:

"13-13-214. Mailing absentee ballot to elector -- delivery to person other than elector. (1) (a) Except as provided in 13-13-213 and in subsection (1)(b) of this section, ~~as soon as the official paper absentee ballots are printed,~~ the election administrator shall, no sooner than authorized in 13-13-205, ~~immediately send by~~ mail, postage prepaid, to each legally registered elector and provisionally registered elector from whom the election administrator has received a valid absentee ballot application under 13-13-211 and 13-13-212 whatever official ballots are necessary.

(b) The election administrator may deliver a ballot in person to an individual other than the elector if:

(i) the elector has designated the individual, either by a signed letter or by making the designation on the application form in a manner prescribed by the secretary of state or pursuant to 13-1-116;

(ii) the individual taking delivery of the ballot on behalf of the elector verifies, by signature, receipt of the ballot;

(iii) the election administrator believes that the individual receiving the ballot is the designated person; and

(iv) the designated person has not previously picked up ballots for four other electors.

(2) The election administrator shall enclose with the ballots:

(a) a form prescribed by the secretary of state that allows the elector to request absentee ballots for each subsequent federal election only or for all subsequent elections, as provided for in 13-13-212(4);

(b) a secrecy envelope, free of any marks that would identify the voter; and

(c) an envelope for the return of the ballots. The envelope must be self-addressed by the election administrator and an affirmation in the form prescribed by the secretary of state must be printed on the back of the envelope.

(3) The election administrator shall ensure that the ballots provided to an absentee elector are marked as provided in 13-13-116 and remove the stubs from the ballots, attaching the stubs to the elector's absentee ballot application.

(4) If the ballots sent to the elector are for a primary election, the election administrator shall enclose an extra envelope marked "For Unvoted Party Ballot(s)". This envelope may not be numbered or marked in any way so that it can be identified as being used by any one elector.

(5) Instructions for voting must be enclosed with the ballots. Instructions for primary elections must include use of the envelope for unvoted ballots. The instructions must include information concerning the type or types of writing instruments that may be used to mark the absentee ballot. The instructions must include information regarding use of the secrecy envelope and use of the return envelope. The election administrator shall include a voter information pamphlet with the instructions if:

(a) a statewide ballot issue appears on the ballot mailed to the elector; and

(b) the elector requests a voter information pamphlet."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/12/2007

SB 98, introduced by Harrington

SB 209, introduced by Essmann

SB 211, introduced by Larson

SB 213, introduced by Cobb

SB 222, introduced by Esp

SB 269, introduced by Larson

SB 308, introduced by J. Peterson

SB 379, introduced by Laslovich

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SB 386, introduced by Shockley
SB 406, introduced by Bales
SB 414, introduced by Laslovich

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 664, introduced by Keane, referred to State Administration.
HB 665, introduced by Arntzen, referred to Business and Labor.
HB 666, introduced by Gallik, referred to Business and Labor.
HB 667, introduced by O'Hara, K. Peterson, Raser, Beck, Hilbert, MacLaren, Thomas, Jacobson, Bixby, Wanzenried, Hamilton, Dickenson, Milburn, Kottel, Ankney, Sands, Stahl, McGillvray, Blasdel, W. Jones, Sonju, Nooney, Arntzen, L. Jones, referred to State Administration.
HB 668, introduced by Stahl, Mendenhall, referred to Business and Labor.
HB 669, introduced by Arntzen, Henry, referred to Human Services.
HB 670, introduced by Himmelberger, referred to State Administration.
HB 671, introduced by Hamilton, referred to State Administration.
HB 672, introduced by Glaser, Larson, referred to Education.
HB 673, introduced by Hamilton, referred to Fish, Wildlife and Parks.
HB 674, introduced by Lange, referred to Judiciary.
HB 675, introduced by Jacobson, referred to Taxation.
HB 676, introduced by Arntzen, referred to Judiciary.
HB 677, introduced by Arntzen, referred to Appropriations.
HB 678, introduced by Lange, Glaser, Lake, Sales, Lewis, Story, Stapleton, Brown, referred to Taxation.
HB 679, introduced by Sales, referred to State Administration.
HB 680, introduced by Cohenour, referred to Appropriations.
HB 681, introduced by Driscoll, referred to Federal Relations, Energy, and Telecommunications.
HB 682, introduced by McNutt, referred to Taxation.
HB 683, introduced by Reinhart, referred to Judiciary.
HB 684, introduced by Reinhart, referred to Federal Relations, Energy, and Telecommunications.
HB 685, introduced by McAlpin, referred to Taxation.
HB 686, introduced by Olson, Boggio, referred to State Administration.
HB 687, introduced by W. Jones, referred to Human Services.
HB 688, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
HB 689, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
HB 690, introduced by Bergren, referred to Local Government.
HB 691, introduced by Villa, Lake, MacLaren, Laslovich, Laible, referred to Education.
HB 692, introduced by Barrett, Ripley, referred to State Administration.
HB 693, introduced by Butcher, referred to State Administration.
HB 694, introduced by Butcher, referred to State Administration.
HB 695, introduced by McNutt, Gillan, referred to Judiciary.
HB 696, introduced by Windy Boy, Parker, Campbell, Augare, Small-Eastman, referred to Judiciary.
HB 697, introduced by Jayne, Brown, referred to Appropriations.
HB 698, introduced by Windy Boy, Campbell, Small-Eastman, Augare, referred to Judiciary.
HB 699, introduced by Windy Boy, Campbell, Small-Eastman, Augare, referred to Federal Relations, Energy, and Telecommunications.
HB 700, introduced by Windy Boy, Campbell, Small-Eastman, Augare, referred to Education.
HB 701, introduced by Glaser, Lange, Story, Lake, Lewis, referred to Taxation.

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The following House joint resolution was introduced, read first time, and referred to committee:

HJR 36, introduced by Lambert, McNutt, Heinert, Hands, Dickenson, Cohenour, Barrett, Vincent, Erickson, Ross, Ankney, Hendrick, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Nooney in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 371 - Representative Sonju moved **HB 371** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte.

Total 75

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Driscoll, Franklin, Grinde, Hamilton, Himmelberger, Hiner, Jayne, Jopek, Jore, Kasten, Keane, Koopman, McGillvray, Mendenhall, Raser, Ripley, Wells, Wilson, Mr. Speaker.

Total 25

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 112 - Representative Arntzen moved **HB 112** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jopek, Jore, Koopman, Stoker.

Total 4

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 217 - Representative Lange moved **HB 217** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Butcher, Caferro, Clark, Cordier, Dickenson, Dutton, Ebinger, French, Furey, Glaser, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 63

Noes: Augare, Becker, Bergren, Branae, Callahan, Campbell, Cohenour, Driscoll, Erickson, Everett, Franklin, Gallik, Grinde, Groesbeck, Hands, Hawk, Ingraham, L. Jones, Jopek, Keane, McAlpin, Mendenhall, Noonan, Parker, Phillips, Pomnichowski, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 36

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

HB 235 - Representative Dutton moved **HB 235** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Barrett, Blasdel, Clark, Heinert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Ripley, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 299 - Representative Milburn moved **HB 299** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Ebinger, Everett, French, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones,

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W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 65

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Henry, Hollenbaugh, Jacobson, Jayne, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Sands, Sesso, Van Dyk, Villa, Windy Boy, Wiseman.

Total 35

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 337 - Representative Cohenour moved **HB 337** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Ingraham, Jore, Kasten, Koopman, Peterson, Rice.

Total 6

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

HB 414 - Representative Reinhart moved **HB 414** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

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Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 490 - Representative French moved **HB 490** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 510 - Representative Stahl moved **HB 510** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Himmelberger, Jore, Kasten, Koopman, McGillvray, Mendenhall, Pomnichowski, Rice, Ripley, Sinrud, Sonju, Villa, Ward, Witte, Mr. Speaker.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 351 - Representative Sinrud moved **HB 351** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Nooney moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Driscoll, Dutton, Ebinger, Everett, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 67

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Cohenour, Cordier, Dickenson, Erickson, French, Furey, Gallik, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, Noonan, Parker, Raser, Sesso, Small-Eastman, Villa, Wilson, Wiseman.

Total 29

Excused: None.

Total 0

Absent or not voting: Caferro, Franklin, Nooney, Windy Boy.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 253 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 291 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kottel, McChesney.

Total 2

HB 328 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 426 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Jore, Koopman, Mendenhall.

Total 3

Excused: None.

Total 0

Absent or not voting: Berggren, McChesney.

Total 2

HB 433 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Berggren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: McChesney.
Total 1

HB 437 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Lange.
Total 1

Excused: None.
Total 0

Absent or not voting: McChesney.
Total 1

HB 449 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Himmelberger, Koopman, McGillvray, Mendenhall.
Total 4

Excused: None.
Total 0

Absent or not voting: McChesney.
Total 1

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HB 532 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Everett, Jore, Kasten, Koopman.

Total 4

Excused: None.

Total 0

Absent or not voting: French, McChesney.

Total 2

HJR 13 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Dutton, Ebinger, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 65

Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cordier, Dickenson, Driscoll, Erickson, Franklin, Gallik, Grinde, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Taylor, Van Dyk, Wilson, Windy Boy, Wiseman.

Total 34

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 403 failed as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 45

Noes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Excused: None.

Total 0

Absent or not voting: McChesney, Stahl.

Total 2

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

2/13/2007

HB 13, introduced bill, be amended as follows:

1. Title, line 8.

Following: "AGENCIES;"

Insert: "PROHIBITING THE TRANSFER OF FUNDS FOR PURPOSES OF FUNDING PERSONAL SERVICES
PAY INCREASES;"

2. Title, line 14.

Following: "15-2-102,"

Insert: "17-7-102, 17-7-138, 17-7-139,"

3. Page 6, line 17.

Following: "2-18-104."

Insert: "The broadband classification plan must provide for pay based upon but not limited to job performance, employee competencies, and market progression. An employee's performance must be evaluated by an annual performance appraisal."

4. Page 8, line 6.

Following: "position."

Insert: "Each position must have a current job description."

5. Page 9, line 4.

Following: "ranges."

Insert: "Subject to a collective bargaining agreement, if applicable, the initial market rate used in establishing occupational pay ranges may not exceed 85% of the market as identified in the approved market survey used in establishing occupational pay ranges. This subsection does not require a reduction in pay for an employee whose pay exceeds the initial market rate. Occupational pay ranges must be the same for similar jobs in all agencies."

6. Page 9, line 15.

Following: "plan"

Insert: "-- report"

7. Page 12, line 6.

Following: "~~2007~~." on line 5

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Insert: "(7) The department shall prepare an annual report on the recruitment and retention of state employees."

8. Page 13, line 10.

Strike: the first "December"

Insert: "June"

Strike: "January 2008"

Insert: "July 2007"

Strike: the second "December"

Insert: "June"

Strike: "January 2009"

Insert: "July 2008"

9. Page 17, line 23.

Insert: "**Section 20.** Section 17-7-102, MCA, is amended to read:

"17-7-102. Definitions. As used in this chapter, the following definitions apply:

(1) "Additional services" means different services or more of the same services.

(2) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other person or any other administrative unit of state government that spends or encumbers public money by virtue of an appropriation from the legislature under 17-8-101.

(3) "Approving authority" means:

(a) the governor or the governor's designated representative for executive branch agencies;

(b) the chief justice of the supreme court or the chief justice's designated representative for judicial branch agencies;

(c) the speaker for the house of representatives;

(d) the president for the senate;

(e) appropriate legislative committees or a designated representative for legislative branch agencies; or

(f) the board of regents of higher education or its designated representative for the university system.

(4) "Base budget" means the resources for the operation of state government that are of an ongoing and nonextraordinary nature in the current biennium. The base budget for the state general fund and state special revenue funds may not exceed that level of funding authorized by the previous legislature.

(5) "Budget amendment" means a temporary appropriation as provided in Title 17, chapter 7, part 4.

(6) "Emergency" means a catastrophe, disaster, calamity, or other serious unforeseen and unanticipated circumstance that has occurred subsequent to the time that an agency's appropriation was made, that was clearly not within the contemplation of the legislature and the governor, and that affects one or more functions of a state agency and the agency's expenditure requirements for the performance of the function or functions.

(7) "Funds subject to appropriation" means those funds required to be paid out of the treasury as set forth in 17-8-101.

(8) "Necessary" means essential to the public welfare and of a nature that cannot wait until the next legislative session for legislative consideration.

(9) (a) "New proposals" means requests to provide new nonmandated services, to change program services, to eliminate existing services, or to change sources of funding.

(b) ~~For~~ Subject to subsection (9)(c), for purposes of establishing the present law base, the distinction between new proposals and the adjustments to the base budget to develop the present law base is to be determined by the existence of constitutional or statutory requirements for the proposed expenditure. Any proposed increase or decrease that is not based on those requirements is considered a new proposal.

(c) Any adjustment to the personal services portion of the base budget in excess of the funding provided in the fully funded pay plan approved by the previous legislature must be considered a new proposal. For the purposes of this subsection (9)(c), the fully funded pay plan is the aggregate amount appropriated for personal services by the previous legislature for a department, agency, or program, including present law adjustments.

(10) "Present law base" means, subject to subsection (9)(c), that level of funding needed under present law to maintain operations and services at the level authorized by the previous legislature, including but not limited to:

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- (a) changes resulting from legally mandated workload, caseload, or enrollment increases or decreases;
- (b) changes in funding requirements resulting from constitutional or statutory schedules or formulas;
- (c) inflationary or deflationary adjustments; and
- (d) elimination of nonrecurring appropriations.

(11) "Program" means a principal organizational or budgetary unit within an agency.

(12) "Requesting agency" means the agency of state government that has requested a specific budget amendment.

(13) "University system unit" means the board of regents of higher education; office of the commissioner of higher education; university of Montana, with campuses at Missoula, Butte, Dillon, and Helena; Montana state university, with campuses at Bozeman, Billings, Havre, and Great Falls; the agricultural experiment station, with central offices at Bozeman; the forest and conservation experiment station, with central offices at Missoula; the cooperative extension service, with central offices at Bozeman; the bureau of mines and geology, with central offices at Butte; the fire services training school at Great Falls; and the community colleges at Miles City, Glendive, and Kalispell."

Insert: "Section 21. Section 17-7-138, MCA, is amended to read:

"17-7-138. Operating budget. (1) (a) Expenditures by a state agency must be made in substantial compliance with the budget approved by the legislature. Substantial compliance may be determined by conformity to the conditions contained in the general appropriations act and to legislative intent as established in the narrative accompanying the general appropriations act. An explanation of any significant change in agency or program scope must be submitted on a regular basis to the interim committee that has program evaluation and monitoring functions for the agency pursuant to Title 5, chapter 5, part 2. An explanation of any significant change in agency or program scope, objectives, activities, or expenditures must be submitted to the legislative fiscal analyst for review and comment by the legislative finance committee prior to any implementation of the change. A significant change may not conflict with a condition contained in the general appropriations act. If the approving authority certifies that a change is time-sensitive, the approving authority may approve the change prior to the next regularly scheduled meeting of the legislative finance committee. The approving authority shall submit all proposed time-sensitive changes to the legislative fiscal analyst prior to approval. If the legislative fiscal analyst determines that notification of the legislative finance committee is warranted, the legislative fiscal analyst shall immediately notify as many members as possible of the proposed change and communicate any concerns expressed to the approving authority. The approving authority shall present a report fully explaining the reasons for the action to the next meeting of the legislative finance committee. Except as provided in subsection (2), the expenditure of money appropriated in the general appropriations act is contingent upon approval of an operating budget by August 1 of each fiscal year. An approved original operating budget must comply with state law and conditions contained in the general appropriations act.

(b) For the purposes of this subsection (1), an agency or program is considered to have a significant change in its scope, objectives, activities, or expenditures if:

(i) the operating budget change exceeds \$1 million; or

(ii) the operating budget change exceeds 25% of a budget category and the change is greater than \$25,000.

If there have been other changes to the budget category in the current fiscal year, all the changes, including the change under consideration, must be used in determining the 25% and \$25,000 threshold.

(2) The expenditure of money appropriated in the general appropriations act to the board of regents, on behalf of the university system units, as defined in 17-7-102, is contingent upon approval of a comprehensive operating budget by October 1 of each fiscal year. The operating budget must contain detailed revenue and expenditures and anticipated fund balances of current funds, loan funds, endowment funds, and plant funds. After the board of regents approves operating budgets, transfers between units may be made only with the approval of the board of regents. Transfers and related justification must be submitted to the office of budget and program planning and to the legislative fiscal analyst.

(3) The operating budget for money appropriated by the general appropriations act must be separate from the operating budget for money appropriated by another law ~~except a law appropriating money for the state pay plan or any portion of the state pay plan~~. The legislature may restrict the use of funds appropriated for personal services to allow use only for the purpose of the appropriation. Each operating budget must include expenditures for each agency program, detailed at least by first-level categories as provided in 17-1-102(3). Each agency shall record its

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operating budget for all funds, other than higher education funds, and any approved changes on the statewide budget and accounting state financial system. Documents implementing approved changes must be signed. The operating budget for higher education funds must be recorded on the university financial system, with separate accounting categories for each source or use of state government funds. State sources and university sources of funds may be combined for the general operating portion of the current unrestricted funds."

Insert: "Section 22. Section 17-7-139, MCA, is amended to read:

"17-7-139. Program transfers. (1) (a) Unless prohibited by law or a condition contained in the general appropriations act, the approving authority may approve agency requests to transfer appropriations between programs within each fund type within each fiscal year. ~~The legislature may restrict the use of funds~~ Funds appropriated for personal services ~~to allow use may be used~~ only for the purpose of the appropriation, and funds not appropriated for personal services may not be used for personal services.

(b) An explanation of any significant transfer must be submitted on a regular basis to the interim committee that has program evaluation and monitoring functions for the agency pursuant to Title 5, chapter 5, part 2. An explanation of any transfer that involves a significant change in agency or program scope, objectives, activities, or expenditures must be submitted to the legislative fiscal analyst for review and comment by the legislative finance committee prior to any implementation of the change. If the approving authority certifies that a request for a transfer representing a significant change in agency or program scope, objectives, activities, or expenditures is time-sensitive, the approving authority may approve the transfer prior to the next regularly scheduled meeting of the legislative finance committee. The approving authority shall submit all proposed time-sensitive changes to the legislative fiscal analyst prior to approval. If the legislative fiscal analyst determines that notification of the legislative finance committee is warranted, the legislative fiscal analyst shall immediately notify as many members as possible of the proposed change and communicate any concerns expressed to the approving authority. The approving authority shall present a report fully explaining the reasons for the action to the next meeting of the legislative finance committee. All program transfers must be completed within the same fund from which the transfer originated. A request for a transfer accompanied by a justification explaining the reason for the transfer must be submitted by the requesting agency to the approving authority and the office of budget and program planning. Upon approval of the transfer in writing, the approving authority shall inform the legislative fiscal analyst of the approved transfer and the justification for the transfer.

(c) If money appropriated for a fiscal year is transferred to another fiscal year, the money may not be retransferred, except that money remaining from projected costs for spring fires estimated in the last quarter of the first year of a biennium may be retransferred.

(2) For the purposes of subsection (1)(b), an agency or program is considered to have a significant change in its scope, objectives, activities, or expenditures if:

(a) the budget transfer exceeds \$1 million; or

(b) the budget transfer exceeds 25% of a program's total operating plan and the transfer is greater than \$25,000. If there have been other transfers to or from the program in the current fiscal year, all the transfers, including the transfer under consideration, must be used in determining the 25% and \$25,000 threshold."

Renumber: subsequent sections

10. Page 19, line 16.

Insert: "NEW SECTION. Section 25. Performance audit. The legislative auditor is requested to conduct a performance audit of the broadband classification pay plan after July 1, 2008."

Renumber: subsequent sections

11. Page 19, line 19.

Following: "2-18-303"

Insert: "and 2-18-703"

12. Page 19, line 25.

Strike: "\$6,295,995 \$9,732,127 \$14,945,346 \$22,195,176"

Insert: "\$5,318,049 \$8,390,636 \$11,907,367 \$18,074,387"

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13. Page 19, line 27.

Strike: "\$13,819,321 \$9,945,416 \$32,040,381 \$22,662,994"

Insert: "\$12,841,375 \$8,603,925 \$29,002,402 \$18,542,155"

14. Page 20.

Following: line 27

Insert: "(6) The following money is appropriated to the executive branch to implement the adjustments provided for in 2-18-303 and 2-18-703 contingent upon the budget director certifying in writing to the legislative finance committee that the group benefits account in the internal service fund has maintained for at least 2 months and will maintain for the remainder of the biennium a working capital balance of no more than 60 days, in compliance with federal office of management and budget, circular A-87.

	Fiscal Year 2008	Fiscal Year 2009	
	General Fund	Other Funds	General Fund Other Funds
Executive Branch	\$977,946	\$1,341,491	\$3,037,979 \$4,120,789"

15. Page 21, line 1.

Strike: "23"

Insert: "27"

Strike: "25"

Insert: "29"

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved **HB 217** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 280** be moved from the Committee on Local Government to the Committee on Education. There being no objections, so ordered.

Majority Leader Lange moved **HB 294** be moved from the Committee on Appropriations to the Committee on State Administration. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, February 14, 2007. Motion carried.

House adjourned at 3:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 14, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Nooney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Speaker Sales introduced Ken Overcast, author and singer of "Montana Lullaby," and his wife Dawn. Mr. Overcast then sang "Montana Lullaby" to the Chamber.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/13/2007
Correctly printed: **HB 547**.
Correctly engrossed: **HB 25, HB 417, HB 520, HB 13, HB 569, HJR 17**.

AGRICULTURE (Butcher, Chairman): 2/14/2007
HB 503, do pass. Report adopted.

HB 569, introduced bill, be amended as follows:

1. Page 1, line 30.

Strike: "for processing"

Insert: "that are going to be processed to a point that they no longer represent a pest risk"

2. Page 5, line 30.

Strike: "by"

Insert: "for"

And, as amended, do pass. Report adopted.

HJR 17, introduced joint resolution, be amended as follows:

1. Page 1, line 30 through page 2, line 1.

Strike: ", thereby" on page 1, line 30 through "costs" on page 2, line 1

And, as amended, be adopted. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman): 2/14/2007
HB 492, do pass. Report adopted.
HB 565, do pass. Report adopted.
HJR 28, be adopted. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 2/14/2007
HB 389, introduced bill, be amended as follows:

1. Title, line 6.

Following: "DEVELOPMENT"

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Insert: "OR IMPLEMENTATION"

2. Title, line 7.

Strike: "ENSURE"

Insert: "REQUEST"

3. Title, line 9.

Strike: "EXCEPT IN CASES OF EMERGENCY OR DISASTER"

4. Page 2, line 20.

Following: "In"

Strike: "developing"

Insert: "implementing"

5. Page 2, line 20 through line 21.

Following: "shall" on line 20

Strike: remainder of line 20 through "elk," on line 21

Insert: ", as necessary to achieve harvest and population objectives, request that land management agencies open"

6. Page 2, line 21.

Following: "roads"

Strike: "remain open"

7. Page 2, line 22.

Strike: "unless ingress and egress are controlled pursuant to 10-3-104"

8. Page 3, line 22.

Following: "developing"

Insert: "or implementing"

9. Page 3, line 24.

Following: "written"

Insert: "or documented verbal"

And, as amended, do pass. Report adopted.

HB 439, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "FISH"

2. Page 1, line 10.

Following: "private"

Strike: "fish"

3. Page 1, line 12.

Following: "87-4-603"

Insert: "(1) through (5)"

4. Page 1, line 18.

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Following: "submission of"

Strike: "a form"

Insert: "an application"

Following: "(2)"

Insert: "and an onsite inspection if requested by the department pursuant to subsection (3)"

5. Page 1, line 19.

Following: the first "private"

Strike: "fish"

6. Page 1, line 20.

Following: "department-generated"

Strike: "form"

Insert: "application"

Following: "including"

Strike: "but not limited to"

7. Page 1, line 21.

Following: "location,"

Strike: "and"

Following: "water"

Strike: "."

Insert: ", and appropriate water rights.

(3) If requested, the pond owner shall provide access for an onsite inspection by the department prior to a decision by the department as to whether a licensing exemption will be granted."

Renumber: subsequent subsection

8. Page 1, line 22.

Following: "whether the"

Strike: "fish"

Insert: "private"

9. Page 1, line 23.

Following: "days"

Insert: "of receipt of a complete application"

Following: "private"

Strike: "fish"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/14/2007

HB 97, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "5-5-211,"

2. Page 1, line 15.

Strike: "4"

Insert: "3"

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3. Page 3, line 20.

Page 4, line 8.

Strike: "4"

Insert: "3"

4. Page 4, line 13 through page 5, line 10.

Strike: section 3 in its entirety

Renumber: subsequent sections

5. Page 5, line 24.

Strike: ", as it determines necessary"

6. Page 5, line 26.

Strike: "it"

Insert: "the appropriate rule review committee"

Strike: "its functions and"

7. Page 6, line 22.

Strike: "4"

Insert: "3"

8. Page 7, line 15 through line 18.

Strike: section 6 in its entirety

Renumber: subsequent sections

9. Page 7, line 20.

Strike: "(1)"

Strike: "4"

Insert: "3"

10. Page 7, line 21.

Strike: "4"

Insert: "3"

11. Page 7, line 22 through line 23.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

HB 487, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: " ; "

Insert: "AMENDING RELATED FEES ;"

Strike: "SECTION"

Insert: "SECTIONS"

Insert: "AND 2-7-514"

2. Page 2, line 13.

Insert: "**Section 2.** Section 2-7-514, MCA, is amended to read:

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"2-7-514. Filing of audit report and financial report. (1) Completed audit reports must be filed with the department. Completed financial reports must be filed with the department as provided in 2-7-503(1). The state superintendent of public instruction shall file with the department a list of school districts subject to audit under 2-7-503(3). The list must be filed with the department within 6 months after the close of the fiscal year.

(2) At the time that the financial report is filed or, in the case of a school district, when the audit report is filed with the department, the local government entity shall pay to the department a filing fee. The department shall charge a filing fee to any local government entity required to have an audit under 2-7-503, which fee must be based upon the costs incurred by the department in the administration of this part, except as provided in [section 3]. Notwithstanding the provisions of 20-9-343, the filing fees for school districts required by this section must be paid by the office of public instruction. The department shall adopt the fee schedule by rule based upon the local government entities' revenue amounts.

(3) Copies of the completed audit and financial reports must be made available by the department and the local government entity for public inspection during regular office hours.""

Insert: "NEW SECTION. Section 3. Exception to fees based on implementation costs. A fee charged pursuant to 2-7-514 may not be increased as a result of [section 1]."

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/14/2007

HB 468, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "proceeding"

Insert: ", except that the proceedings and records of the program , as they pertain to a physician, are subject to discovery or introduction into evidence in a disciplinary proceeding before the board against the physician"

And, as amended, do pass. Report adopted.

HB 60, introduced bill, be amended as follows:

1. Page 2.

Following: line 28

Insert: "(7) The program may also, to the extent that funds are appropriated for the operation of the program, develop and implement an alternative dispute resolution component to the program."

And, as amended, do pass. Report adopted.

HB 397, do pass. Report adopted.

HB 423, introduced bill, be amended as follows:

1. Page 3, line 12.

Following: "complete"

Insert: ", during the period for which the person's license is suspended,"

2. Page 3, line 16.

Following: "equipped"

Insert: ", during the period for which the person's license is suspended,"

And, as amended, do pass. Report adopted.

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HB 435, introduced bill, be amended as follows:

1. Title, line 6.

Following: "OFFENSES;"

Insert: "PROHIBITING CERTAIN PERSONS FROM SELLING CONFIDENTIAL CRIMINAL JUSTICE INFORMATION AND PROVIDING A PENALTY;"

2. Title, line 8.

Following: "AN"

Insert: "IMMEDIATE EFFECTIVE DATE AND AN"

3. Page 1, line 28.

Following: "crime"

Insert: ", or with an individual having unique knowledge of the crime or preparation for the crime,"

4. Page 1, line 30.

Following: "item"

Insert: "owned or obtained by an individual convicted of a qualifying crime or obtained,"

Following: "produced"

Insert: ", "

5. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 3. Sale of confidential criminal justice information prohibited -- penalty.

(1) An individual convicted of a qualifying crime, or an individual having unique knowledge of the crime or preparation for the crime, may not sell or exchange confidential criminal justice information, as defined in 44-5-103.

(2) The office shall require that any funds obtained in violation of subsection (1) be deposited into the escrow fund, provided for in 53-9-104, for the benefit of a victim of a qualifying crime, to be held as provided in 53-9-104."

Insert: "NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 53, chapter 9, part 1, and the provisions of Title 53, chapter 9, part 1, apply to [section 3]."

Renumber: subsequent sections

6. Page 2.

Following: line 29

Insert: "NEW SECTION. Section 6. Effective date. [This act] is effective on passage and approval."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 452, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "AWARD"

Insert: "ACKNOWLEDGMENT"

2. Title, line 5.

Strike: "CREDITS"

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Insert: "CREDIT"
Following: "THAT"
Insert: "MAY"

3. Title, line 6.
Following: "REDUCE"
Insert: "SUPERVISED"
Following: "PAROLE;"
Insert: "AND"
Strike: "SECTIONS 46-23-216 AND"
Insert: "SECTION"

4. Title, lines 6 and 7.
Strike: "; AND PROVIDING AN APPLICABILITY DATE"

5. Page 1, lines 11 and 12.
Strike: "award an achievement credit of a specified number of days to"
Insert: "acknowledge achievements by"

6. Page 1, lines 13 through 17.
Strike: "The" on line 13 through "parole." on line 17

7. Page 1, lines 18 and 19.
Strike: "award" on line 18 through "below" on line 19
Insert: "acknowledge achievements, such as"

8. Page 1, line 20.
Strike: "for"
Strike: ", 180 days"

9. Page 1, line 21.
Strike: "for"
Strike: ", 365 days"

10. Page 1, line 22.
Strike: "for"
Strike: ", 365 days"

11. Page 1, line 23.
Strike: "for"
Strike: ", 365 days"

12. Page 1, line 24.
Strike: "for each month of"
Strike: "15 days"
Insert: "for 6 or more months"
Strike: "and"

13. Page 1, line 25 through line 26.
Strike: "for each" on line 25 through "days." on line 26

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Insert: "attendance at a faith-based, social service, or rehabilitation activity for 6 or more months; or
(g) any other achievement designated by a department rule."

14. Page 1, line 27 through page 2, line 1.

Strike: subsections (3) through (5) in their entirety

15. Page 2, line 3 through line 12.

Strike: section 2 in its entirety

Renumber: subsequent sections

16. Page 3.

Following: line 1

Insert: "(b) Any of the achievements listed in [section 1(2)] must be considered a significant achievement by a parolee and must be weighted heavily by the board in deciding whether to grant a conditional discharge from supervision to a parolee.

(c) If the board discharges a parolee from supervision because of consideration given to an achievement pursuant to this section, the department is relieved of the obligation of supervising the parolee.

(d) For good cause, the department may return a parolee who was conditionally discharged because of consideration given to an achievement pursuant to this section to the status of a regular parolee."

Renumber: subsequent subsections

17. Page 3, line 10 through line 14.

Strike: subsection (d) in its entirety

18. Page 3, line 20 through line 21.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HB 456, do pass. Report adopted.

HB 462, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "reports."

Insert: "(1) A constituent services account is an account established by a person holding a public office in which funds are deposited and used for expenses in representing constituents or for travel or expenses related to the individual's elected position. A public official may establish an account by filing an appropriate form with the commissioner."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 467, introduced bill, be amended as follows:

1. Page 3, line 10.

Strike: "exclusion" through "panel"

Insert: "exceptions"

Strike: "(1)"

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2. Page 3, line 12.

Strike: "(a)"

Insert: "(1)"

3. Page 3, lines 14 through 18.

Strike: line 14 through "9" on line 18

Insert: "(2) a claim brought by an inmate of a correctional facility against a health care provider arising from a service provided by the health care provider in a governmental infirmary located at the facility"

And, as amended, do pass. Report adopted.

HB 256, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "LAWS;"

Insert: "AND"

Strike: "; AND" through "DATE"

2. Page 8, line 26.

Strike: "a master" through "subleases"

Insert: "other agreements regarding the operation of the entire real estate"

3. Page 9, line 11.

Following: "(20)"

Insert: "(a)"

4. Page 9.

Following: line 13

Insert: "(b) The term does not include the sale of an undivided fractionalized long-term estate in real property that is intentionally structured as a security pursuant to Title 30, chapter 10, and that is in compliance with regulations of and filings required by the securities exchange commission under 17 CFR 230.506."

5. Page 10, line 1.

Strike: "to 35"

Insert: "or more"

6. Page 10, line 2.

Following: the second "agreement"

Insert: ":

(i)"

7. Page 10, line 4.

Following: "termination"

Insert: "; and

(ii) complies with any other requirement imposed by rule by the board of realty regulation under 37-51-203 regarding the disclosure and use of a management agreement, including the use of a master lease agreement"

8. Page 12, line 2.

Strike: section 4 in its entirety

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And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/14/2007

HB 533, introduced bill, be amended as follows:

1. Title, line 6.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 3.

Following: line 19

Insert: "NEW SECTION. **Section 3. Applicability.** [This act] applies to severance tax collections from coal produced after June 30, 2007."

And, as amended, do pass. Report adopted.

HB 559, introduced bill, be amended as follows:

1. Title, line 6 through line 8.

Strike: "FOR" on line 6 through "TAXPAYERS" on line 8

Insert: "BASED ON FILING STATUS"

2. Page 2, line 20.

Following: "singly"

Insert: ", "

Strike: "or"

3. Page 2, line 21.

Following: "household"

Insert: ", or married filing separately"

4. Page 2, line 22.

Strike: "each"

Strike: "taxpayer"

Insert: "taxpayers"

Strike: "or"

5. Page 2, line 23.

Strike: "separately"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/13/2007

SB 121, introduced by Elliott

SB 132, introduced by Gallus

SB 323, introduced by Laslovich

SB 335, introduced by Tash

SB 350, introduced by Perry

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SB 384, introduced by Wanzenried

House bill concurred in and returned to the House:

2/13/2007

HB 23, introduced by Hiner

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 702, introduced by Jore, referred to Education.

HB 703, introduced by Ripley, referred to State Administration.

HB 704, introduced by Keane, referred to Business and Labor.

HB 705, introduced by Lambert, referred to Agriculture.

HB 706, introduced by Caferro, referred to State Administration.

HB 707, introduced by Hamilton, referred to Business and Labor.

HB 708, introduced by Vincent, Heinert, Klock, Witte, Blasdel, Hendrick, Stahl, MacLaren, Olson, Lake, Butcher, Malcolm, Taylor, Ankney, Ripley, Ross, Everett, Nooney, Sales, Lambert, Kerns, Barrett, McGillvray, referred to Natural Resources.

HB 709, introduced by Vincent, Ankney, Klock, Hendrick, Hendrick, Barrett, Sales, Arntzen, Olson, Stahl, Lake, Butcher, Malcolm, Taylor, Ripley, W. Jones, Witte, Blasdel, Everett, Heinert, Nooney, Ross, Lambert, Kerns, McGillvray, referred to Federal Relations, Energy, and Telecommunications.

HB 710, introduced by Pomnichowski, Parker, Reinhart, Noonan, Hilbert, Ross, Himmelberger, Phillips, McAlpin, Ebinger, referred to Judiciary.

HB 711, introduced by Jore, referred to Natural Resources.

HB 712, introduced by Jore, referred to Judiciary.

HB 713, introduced by McGillvray, referred to Human Services.

HB 714, introduced by K. Peterson, Jent, referred to Judiciary.

HB 715, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 37, introduced by Windy Boy, Campbell, Small-Eastman, Augare, referred to Human Services.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 1:35 p.m.

Representative Noonan questioned Majority Leader Lange about the status of **HB 2**. Representative Lange outlined briefly the process to be followed for the budget issues.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Morgan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 25 - Representative Olson moved **HB 25** do pass.

HB 25 - Representative Gallik moved **HB 25**, second reading copy, be amended.

Amendment **failed** as follows:

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Ayes: Augare, Bergren, Bixby, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Jacobson, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Stahl, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.

Total 31

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 69

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 25 - Representative Gallik moved **HB 25**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Himmelberger, Jacobson, Kottel, McGillvray, Mendenhall, Milburn, Musgrove, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Stahl, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.

Total 35

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Noonan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 65

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 25 - Representative Ripley moved for cloture.

HB 25 - The motion to pass **HB 25** carried as follows:

Ayes: Augare, Barrett, Becker, Bergren, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski,

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Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 69

Noes: Ankney, Arntzen, Beck, Bixby, Blasdel, Boggio, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Hamilton, Hands, Himmelberger, Hollenbaugh, Kasten, McGillvray, Mendenhall, Milburn, Musgrove, O'Hara, Parker, Ross, Sonju, Taylor, Thomas, Witte, Mr. Speaker.

Total 31

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 - Representative McNutt moved **HB 39** do pass.

HB 39 - Representative Jayne moved **HB 39**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cordier, Dickenson, Ebinger, Franklin, French, Glaser, Grinde, Groesbeck, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Koopman, Kottel, Malcolm, McAlpin, Mendenhall, Noonan, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Villa, Ward, Wilmer, Windy Boy, Wiseman.

Total 44

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cohenour, Driscoll, Dutton, Erickson, Everett, Furey, Gallik, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Van Dyk, Vincent, Wells, Wilson, Witte, Mr. Speaker.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 - Representative Sinrud moved for cloture.

HB 39 - The motion to pass **HB 39** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer,

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Wilson, Windy Boy, Wiseman.
Total 89

Noes: Blasdel, Dutton, Ingraham, Jayne, Jore, Koopman, Rice, Stoker, Witte, Mr. Speaker.
Total 10

Excused: None.
Total 0

Absent or not voting: Ebinger.
Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Morgan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 80

Noes: Gallik, Hawk, Ingraham, Jayne, Jopek, Mendenhall, Musgrove, Phillips, Rice, Ward.
Total 10

Excused: None.
Total 0

Absent or not voting: Callahan, L. Jones, W. Jones, Noonan, Raser, Sesso, Stahl, Thomas, Vincent, Mr. Speaker.
Total 10

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 112 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

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Noes: Jopek, Koopman.
Total 2

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

HB 235 passed as follows:

Ayes: Arntzen, Augare, Becker, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, McAlpin, McChesney, McGillvray, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman.
Total 64

Noes: Ankney, Barrett, Beck, Bergren, Blasdel, Butcher, Everett, Gallik, Hawk, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Musgrove, Parker, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Wilson, Witte, Mr. Speaker.
Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 299 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.
Total 66

Noes: Augare, Becker, Bergren, Branae, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Reinhart, Sesso, Small-Eastman, Van Dyk, Villa, Windy Boy, Wiseman.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 337 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Ingraham, Jore, Kasten, Koopman, McGillvray, Peterson, Rice, Witte, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 351 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Ward, Wells, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

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Total 80

Noes: Augare, Becker, Branae, Caferro, Callahan, Franklin, Hamilton, Hiner, Jayne, Jopek, Jore, Kasten, Koopman, McGillvray, Mendenhall, Morgan, Raser, Ripley, Wells, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 490 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 510 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Barrett, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Van Dyk, Witte, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman):

2/14/2007

HB 305, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Title, line 6.

Following: "the first ";"

Insert: "PROVIDING FOR THE RIGHTS OF CREDITORS AND OTHERS;"

2. Page 1, line 13.

Following: "transfers the "

Insert: "deceased owner's"

3. Page 1, line 14.

Strike: "designated"

Following: "beneficiary"

Insert: "designated by name in the beneficiary deed"

4. Page 2, line 1.

Strike: "prevails"

Insert: "prevail"

5. Page 2.

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Following: line 11

Insert: "(7) If an individual who is a recipient of medicaid pursuant to 53-6-131 conveys an interest in real property by means of a beneficiary deed, the department of public health and human services may assert a claim pursuant to 53-6-167 against the property that is the subject of a beneficiary deed to the extent of medical assistance granted by the department."

6. Page 3.

Following: line 3

Insert: " _____ "
(Dated)

7. Page 3.

Following: line 22

Insert: "NEW SECTION. **Section 2. Rights of creditors and others.** (1) If other assets of the estate are insufficient, a transfer resulting from a beneficiary deed, as provided for in [section 1], is not effective against the estate and statutory allowances to the surviving spouse and children.

(2) A surviving party who receives title to real property pursuant to a beneficiary deed is liable to account to the personal representative of the decedent for the value of the property to the extent necessary to discharge the claims and allowances described in subsection (1) remaining unpaid after application of the decedent's estate. A proceeding to assert the liability may not be commenced unless the personal representative has received a written demand by the surviving spouse, a creditor, a child, or a person acting for a child of the decedent. The proceeding must be commenced within 1 year after death of the decedent.

(3) A surviving party against whom a proceeding to account is brought may join as a party to the proceeding any other person claiming an interest in the real property.

(4) Sums recovered by the personal representative must be administered as part of the decedent's estate."

Renumber: subsequent sections

8. Page 4, line 11.

Strike: "[Section 1] is"

Insert: "[Sections 1 and 2] are"

9. Page 4, lines 12 and 13.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

And, as amended, do pass. Report adopted.

HB 312, introduced bill, be amended as follows:

1. Title, line 6.

Following: "THE"

Insert: "CARE,"

Following: "CUSTODY"

Insert: ", AND CONTROL"

2. Page 1, line 13.

Following: the first "the"

Insert: "fundamental"

Following: the second "the"

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Insert: "care, "
Following: "custody"
Insert: ", and control"

3. Page 1, lines 13 and 14.
Following: "children" on line 13
Strike: remainder of line 13 through "upbringing" on line 14

4. Page 1, line 15.
Strike: "or a political subdivision of the state"

5. Page 1, lines 17 and 18.
Strike: "This section" on line 17 through "possible." on line 18

6. Page 1, line 23.
Following: "the"
Insert: "care,"
Following: "custody"
Insert: ", "

7. Page 1, line 25.
Following: "the"
Insert: "care,"
Following: "custody"
Insert: ", "

And, as amended, do pass. Report adopted.

HB 459, introduced bill, be amended as follows:

1. Page 1, line 13.
Following: " _ "
Insert: "The rules must require that a fetus be transported in a crush-proof container and be labeled with the words
"fragile--human remains inside". "

And, as amended, do pass. Report adopted.

HB 464, introduced bill, be amended as follows:

1. Page 1, lines 17 and 18.
Strike: "and" on line 17 through "distress" on line 18

2. Page 1, line 20.
Strike: "and for less-than-severe emotional distress"

3. Page 2, line 8.
Strike: "punitive damages and"

4. Page 2, lines 9 through 11.
Strike: "mental" on line 9 through "worry" on line 11

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Insert: "punitive damages, as provided in 27-1-221"

5. Page 2, line 12.

Strike: "case as a result of the violation"

Insert: "claim"

And, as amended, do pass. Report adopted.

HB 466, introduced bill, be amended as follows:

1. Title, line 7.

Following: "45-5-106,"

Strike: "AND"

Following: "45-5-205,"

Insert: "AND 61-7-109,"

2. Page 2, line 29.

Insert: "**Section 4.** Section 61-7-109, MCA, is amended to read:

"61-7-109. Written reports of accidents -- additional information -- form of report. (1) The operator of a motor vehicle and, as provided in 45-2-302, 45-5-106, and 45-5-205, a passenger in a motor vehicle that is in any manner involved in an accident within this state in which a person is killed or injured or the operator of a motor vehicle involved in an accident in which damage to the property of a person in excess of \$1,000 is sustained shall, within 10 days after the accident, report the matter in writing to the department unless the accident was investigated and reported by a law enforcement officer as provided in subsection (3).

(2) The department may require the driver of a vehicle or a passenger involved in an accident of which report must be made as provided in this section to file supplemental reports whenever the original report is insufficient and may require witnesses of accidents to render reports.

(3) A law enforcement officer who in the regular course of duty investigates a motor vehicle accident in which a person is killed or injured or in which damage to the property of a person exceeds \$1,000, either at the time of and at the scene of the accident or after the accident by interviewing participants or witnesses, shall within 10 days after completing the investigation forward a written report of the accident to the department.

(4) The form of the accident report required under this section must contain information sufficient to enable the department to determine whether the requirements for the deposit of security for safety responsibility are inapplicable by reason of the existence of insurance or other exemptions specified in chapter 6 of this title.

(5) A report required by subsection (1) or (2) may not be used as evidence in any trial, civil or criminal, arising out of an accident."

And, as amended, do pass. Report adopted.

HB 496, do pass. Report adopted.

HB 514, introduced bill, be amended as follows:

1. Title, line 5.

Following: "THE SECOND "IS"

Insert: "RECEIVING COMMUNITY SERVICES OR IS"

2. Title, line 6.

Following: "the second ", "

Insert: "A FOSTER HOME, A YOUTH GROUP HOME,"

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3. Page 1, line 24.

Strike: "or"

4. Page 1.

Following: line 24

Insert: "(vi) receiving community services or is in a foster home or youth group home; or"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 521, do pass. Report adopted.

HB 554, do pass. Report adopted.

HB 579, do pass. Report adopted.

HB 585, do pass. Report adopted.

HJR 26, introduced joint resolution, be amended as follows:

1. Page 1, line 20.

Strike: "."

Insert: "; and

WHEREAS, the Law and Justice Interim Committee of the Montana Legislature studied the "disproportionate minority contact in the Montana criminal justice system" and found that a significant number of individuals in the corrections system have mental health issues; and

WHEREAS, at least one previous interim study of the Montana Legislature addressed the mental health of individuals in the juvenile justice system but did not study the criminal justice system as a whole; and

WHEREAS, there is a need for a comprehensive interim study that would include a review of all previous studies and laws related to mental health issues in the juvenile justice system for the purposes of development of a plan to implement priorities to deal with those issues."

And, as amended, be adopted. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

2/14/2007

HB 35, do pass. Report adopted.

HB 37, do pass. Report adopted.

HB 198, introduced bill, be amended as follows:

1. Page 1, line 24 through page 1, line 25.

Following: "shall" on line 24

Strike: "authorize dental" on page 1, line 24 through "for children" on page 1, line 25

Insert: "adopt rules, pursuant to its authority under 53-4-1009, allowing it to cover significant dental needs beyond those covered in the basic plan. Expenditures under this subsection may not exceed \$100,000 in state funds, plus any matched federal funds, each fiscal year"

And, as amended, do pass. Report adopted.

HB 204, introduced bill, be amended as follows:

1. Page 3, line 22.

Strike: "Wharton econometrics"

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Insert: "global insight or its successor as a source of economic data for Montana"

2. Page 3, line 28.

Strike: "the bureau of business and economic research at the university of Montana-Missoula"

Insert: "global insight or its successor as a source of economic data for Montana"

And, as amended, do pass. Report adopted.

HB 214, introduced bill, be amended as follows:

1. Page 2, line 19.

Strike: "(a)"

Following: "shall"

Insert: ": (a)"

2. Page 2, line 20.

Strike: "directly"

3. Page 2, line 22.

Strike: " _"

Insert: "; and"

4. Page 2, line 23.

Following: "(b)"

Strike: "The department shall"

Following: "amount"

Insert: "for each child"

And, as amended, do pass. Report adopted.

HB 350, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "August 1"

Insert: "August 12"

2. Page 1, line 25 through line 27.

Strike: line 25 through line 27 in their entirety

Renumber: subsequent subsections

3. Page 2, line 7 through line 10.

Strike: line 7 through line 10 in their entirety

Renumber: subsequent subsections

4. Page 2, line 17.

Following: "committee"

Insert: "and the revenue and transportation interim committee"

5. Page 2, line 17.

Strike: "mailing"

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Insert: "copies"

And, as amended, do pass. Report adopted.

HB 522, do pass. Report adopted.

HB 523, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House stand in recess until 5:05 p.m. Motion carried.

House recessed at 3:30 p.m.

The House reconvened at 5:05 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Morgan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 473 - Representative Ross moved **HB 473** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Glaser, Musgrove, Olson, Sonju.

Total 4

HB 58 - Representative Keane moved **HB 58** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove,

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Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Morgan, Nooney, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 105 - Representative Windy Boy moved **HB 105** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Boggio, Heinert, Jore, Kerns, Koopman, McGillvray, Mendenhall, Peterson.

Total 8

Excused: None.

Total 0

Absent or not voting: Branae.

Total 1

HB 340 - Representative Lange moved consideration of **HB 340** be passed for the day. Motion carried.

HJR 19 - Representative Lange moved consideration of **HJR 19** be passed for the day. Motion carried.

HB 420 - Representative Koopman moved **HB 420** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 75

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Noes: Becker, Bixby, Branae, Caferro, Callahan, Dickenson, Driscoll, Erickson, Gallik, Hands, Henry, Hollenbaugh, Jayne, Jopek, Malcolm, McAlpin, Parker, Reinhart, Sands, Small-Eastman, Villa, Wilson.

Total 22

Excused: None.

Total 0

Absent or not voting: Cordier, Grinde, Musgrove.

Total 3

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Morgan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Becker, Callahan, Franklin, Jayne, Jopek, McGillvray, Small-Eastman, Villa.

Total 8

Excused: None.

Total 0

Absent or not voting: Cordier, Grinde, Hollenbaugh, Koopman, Malcolm, McNutt, Mendenhall, Musgrove, Parker.

Total 9

MOTIONS

Majority Leader Lange moved that **HB 39** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 473** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 659** be taken from the Committee on Federal Relations, Energy and Telecommunications and rereferred to the Committee on State Administration. There being no objections, so ordered.

Majority Leader Lange moved that **HB 661** be taken from the Committee on Judiciary and be rereferred to the Committee on Transportation. There being no objections, so ordered.

Majority Leader Lange moved that **HB 684** be taken from the Committee on Federal Relations, Energy and Telecommunications and be rereferred to the Committee on Local Government. There being no objections, so ordered.

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Majority Leader Lange moved that **HJR 36** be taken from the Committee on Federal Relations, Energy and Telecommunications and be rereferred to the Committee on Natural Resources. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, February 15, 2007. Motion carried.

House adjourned at 5:50 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
THIRTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 15, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Sonju. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/14/2007
Correctly printed: **HB 35, HB 37, HB 305, HB 397, HB 456, HB 492, HB 496, HB 503, HB 521, HB 522, HB 523, HB 554, HB 565, HB 579, HB 585, HJR 28.**
Correctly engrossed: **HB 60, HB 97, HB 198, HB 204, HB 214, HB 256, HB 310, HB 312, HB 350, HB 389, HB 423, HB 435, HB 439, HB 452, HB 459, HB 462, HB 464, HB 466, HB 467, HB 468, HB 487, HB 514, HB 533, HB 559.**
Correctly enrolled: **HB 23.** 2/13/2007
Correctly enrolled: **HB 470.** 2/14/2007
Examined by the sponsor and found to be correct: **HB 23.** 2/15/2007
Signed by the Speaker at 2:00 p.m., February 15, 2007: **HB 23.** 2/15/2007
Signed by the President at 2:16 p.m., February 15, 2007: **HB 23.** 2/15/2007
Examined by the sponsor and found to be correct: **HB 470.** 2/15/2007
Signed by the Chief Clerk of the House at 5:30 p.m., February 15, 2007: **HB 470.**

EDUCATION (Jore, Chairman): 2/14/2007
HB 283, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/15/2007
HB 330, introduced bill, be amended as follows:

1. Title, line 10.

Following: "BONDS;"

Insert: "PROVIDING THAT CERTAIN REQUIREMENTS BE MET PRIOR TO PROJECT FINANCING; CLARIFYING THAT THE PROVISIONS OF THIS ACT DO NOT AUTHORIZE A LOCAL GOVERNING BODY TO CONSTRUCT, OWN, OR OPERATE POWERLINES; REQUIRING THE OFFICE OF THE GOVERNOR TO STUDY WIND ENERGY INTEGRATION AND TO PROVIDE MARKETING ASSISTANCE; PROVIDING AN APPROPRIATION;"

Strike: "AN IMMEDIATE"

Strike: "DATE"

Insert: "DATES"

2. Page 2, line 11.

Strike: "17"

Insert: "21"

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3. Page 2, line 15.

Strike: "17"

Insert: "21"

4. Page 2.

Following: line 15

Insert: "(1) "Ancillary services" has the meaning provided in 69-8-1003."

Renumber: subsequent subsections

5. Page 2, line 18.

Strike: "17"

Insert: "21"

6. Page 2.

Following: line 22

Insert: (6) "Intermittent generation resource" means a generator that operates on a limited and irregular basis due to the inconsistent nature of its fuel supply, which is primarily wind or solar power."

Renumber: subsequent subsections

7. Page 3, line 8 through line 9.

Strike: "for" on line 8 through "body" on line 9

Insert: "sell the production to:

(a) a party allowed to choose an electricity supplier under 69-8-201;

(b) a public utility or cooperative under voluntary contracts that are not governed by Title 69, chapter 3, part

6; (c) a competitive electricity supplier; or

(d) an out-of-state consumer"

8. Page 3, line 14 through line 17.

Strike: subsection (6) in its entirety

Renumber: subsequent subsection

9. Page 4, line 4.

Strike: "A"

Insert: "Except as provided in [section 17], a"

10. Page 6, line 18.

Strike: "17"

Insert: "21"

11. Page 6, line 24.

Strike: "17"

Insert: "21"

12. Page 7, line 4.

Strike: "17"

Insert: "21"

13. Page 7, line 5.

Strike: "17"

Insert: "21"

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14. Page 7, line 28.

Strike: "17"

Insert: "21"

15. Page 8, line 3.

Strike: "17"

Insert: "21"

16. Page 8, line 10.

Strike: "17"

Insert: "21"

17. Page 8, line 20.

Strike: "17"

Insert: "21"

18. Page 8, line 22.

Strike: "17"

Insert: "21"

19. Page 8, line 28.

Strike: "17"

Insert: "21"

20. Page 8, line 30.

Insert: "NEW SECTION. Section 17. Requirements prior to project financing. Prior to selling bonds or undertaking any other form of financing under [sections 1 through 21], the governmental body shall enter into a contract or contracts:

(1) with a transmission services provider to interconnect with the transmission or distribution facilities of a utility or cooperative;

(2) that ensure that all ancillary services are available to regulate the generation of electricity from the project as required by the control area operator; and

(3) for the sale of electricity from the project."

Insert: "NEW SECTION. Section 18. Prohibition on construction, ownership, and operation of powerlines. [Sections 1 through 21] do not authorize a governmental body to:

(1) construct, own, or operate electricity distribution or transmission facilities; or

(2) use the proceeds from bonds under [sections 1 through 21] to construct, own, or operate electricity distribution or transmission facilities."

Insert: "NEW SECTION. Section 19. Wind integration study. Before March 30, 2008, the office of the governor shall:

(1) study wind energy integration in Montana to determine the ancillary services expected to be needed by control areas integrating wind energy in Montana, including the impact of location diversity on the need for ancillary services; and

(2) present the findings of the study to the energy and telecommunications interim committee."

Insert: "NEW SECTION. Section 20. Marketing assistance. (1) The office of the governor shall contract with a qualified consultant to provide electricity marketing assistance to governmental bodies developing projects under [sections 1 through 21]. The preferred market for excess electricity from the projects developed pursuant to [sections 1 through 21] is outside Montana.

(2) The consultant that is hired under subsection (1):

(a) must have thorough knowledge of the electricity markets in the western United States;

(b) must be familiar with transmission reservation and scheduling processes related to a transmission services

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provider's obligation under federal energy regulatory commission rules;

(c) must be well-versed regarding the effects of intermittent generation resources on the transmission grid;
and

(d) may not be involved in any existing or proposed energy development projects in the state that could affect the consultant's impartiality or have other potential conflicts of interest that could affect the consultant's ability to provide nondiscriminatory electricity marketing assistance services."

Renumber: subsequent sections

21. Page 9, line 1.

Strike: "17"

Insert: "21"

22. Page 9, line 3.

Strike: "17"

Insert: "21"

23. Page 9, line 4.

Strike: "17"

Insert: "21"

24. Page 9, line 5.

Insert: "NEW SECTION. Section 22. Appropriation. There is appropriated \$300,000 from the general fund to the office of the governor for the biennium beginning July 1, 2007, to conduct the wind energy integration study pursuant to [section 19] and to provide electricity marketing assistance pursuant to [section 20]. A total of \$150,000 may be used for conducting the wind energy integration study and a total of \$150,000 may be used to provide electricity marketing assistance."

Renumber: subsequent sections

25. Page 9, line 6.

Strike: "17"

Insert: "21"

26. Page 9, line 8.

Strike: "17"

Insert: "21"

27. Page 9, line 10.

Strike: section 19 in its entirety

Insert: "NEW SECTION. Section 24. Effective dates. (1) [Sections 1 through 18, 21, 23, and this section] are effective on passage and approval.

(2) [Sections 19, 20, and 22] are effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 427, introduced bill, be amended as follows:

1. Title, line 9 through line 10.

Strike: "INCREASING" on line 9 through "REQUIREMENT;" on line 10

2. Page 3, line 18.

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Strike: "1.2% "
Insert: "0.42% "

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 633, introduced bill, be amended as follows:

2/15/2007

1. Title, line 10.

Following: "APPLICATION;"

Insert: "PROVIDING THAT AN APPLICANT OR A PERSON WITH AN OWNERSHIP INTEREST IN AN APPLICANT MAY NOT HAVE AN OWNERSHIP INTEREST IN AN ALL-BEVERAGES LIQUOR LICENSE;"

2. Page 2, line 3.

Strike: "and"

3. Page 2, line 5.

Following: "\$100,000"

Strike: " _ "

Insert: "; and

(C) the applicant or, if the applicant is not an individual, a person with an ownership interest in the applicant does not have an ownership interest in an all-beverages license."

4. Page 2, line 16.

Strike: "3"

Insert: "5"

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):
HB 623, do pass. Report adopted.

2/15/2007

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 716, introduced by Jopek, referred to Education.

HB 717, introduced by Stahl, Noonan, Nooney, Blasdel, Wilmer, Windy Boy, Parker, Butcher, Bergren, Keane, Wilson, Klock, Ross, Ankney, referred to Fish, Wildlife and Parks.

HB 718, introduced by Wilmer, Driscoll, French, Noonan, Kottel, Phillips, Erickson, Van Dyk, Augare, Ebinger, Villa, Cohenour, Wiseman, Wilson, Hamilton, Furey, referred to Judiciary.

HB 719, introduced by Wilmer, Noonan, Sands, Nooney, referred to Taxation.

HB 720, introduced by McAlpin, Wilmer, Raser, McChesney, Noonan, Dickenson, Franklin, Cohenour, Hollenbaugh, referred to Agriculture.

HB 721, introduced by Stahl, Kerns, referred to Fish, Wildlife and Parks.

HB 722, introduced by Jayne, Wells, referred to Judiciary.

HB 723, introduced by Arntzen, Parker, Boggio, Brown, Taylor, Blasdel, Ankney, O'Hara, McGillvray, referred to Judiciary.

HB 724, introduced by Furey, referred to Business and Labor.

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HB 725, introduced by K. Peterson, Lange, referred to Business and Labor.

HB 726, introduced by Gallik, O'Hara, Franklin, McAlpin, referred to Agriculture.

HB 727, introduced by Lange, referred to Appropriations.

HB 728, introduced by McChesney, referred to Natural Resources.

HB 729, introduced by Raser, referred to Local Government.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 38, introduced by Jore, referred to Judiciary.

HJR 39, introduced by Erickson, Hamilton, Nooney, Hendrick, MacLaren, referred to Education.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 25 passed as follows:

Ayes: Arntzen, Barrett, Becker, Bergren, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman.

Total 69

Noes: Ankney, Augare, Beck, Bixby, Blasdel, Boggio, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Hands, Henry, Hilbert, Himmelberger, Kasten, McGillvray, Mendenhall, Milburn, Parker, Ross, Sonju, Taylor, Thomas, Wilmer, Witte, Mr. Speaker.

Total 30

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

HB 58 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, McGillvray, McNutt, Morgan, Rice, Ross, Sinrud, Sonju, Stoker, Vincent, Wells, Witte, Mr. Speaker.

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Total 28

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: Ripley.

Total 1

HB 105 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Jore, Kerns, Koopman, McGillvray, Mendenhall, Peterson, Wells.

Total 8

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 420 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Bixby, Branae, Caferro, Callahan, Dickenson, Driscoll, Erickson, Hands, Henry, Jayne, Jopek, McAlpin, Musgrove, Parker, Sands, Small-Eastman, Wilson.

Total 17

Voted Absentee: Sands, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Democratic Caucus Leader Villa announced Democrats would caucus. Majority Leader Lange announced Republicans would stand at ease. House reconvened at 1:30 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blasdel in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 340 - Representative Wells moved **HB 340** do pass.

HB 340 - Representative Keane moved for cloture.

HB 340 - The motion to pass **HB 340** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 57

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 43

Voted Absentee: Sands, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 19 - Representative Lange moved consideration of **HJR 19** be passed for the day. Motion carried.

HB 417 - Representative Lange moved consideration of **HB 417** be placed at the bottom of the second reading board. Motion carried.

HB 273 - Representative Mendenhall moved **HB 273** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: French.

Total 1

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 520 - Representative Arntzen moved **HB 520** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cordier, Driscoll, Dutton, Everett, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 70

Noes: Bergren, Bixby, Caferro, Campbell, Cohenour, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Phillips, Pomnichowski, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Windy Boy.

Total 30

Voted Absentee: Sands, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 547 - Representative Sinrud moved **HB 547** do pass. Motion carried as follows:

Ayes: Ankney, Beck, Becker, Bergren, Blasdel, Campbell, Cohenour, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Henry, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Parker, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud,

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Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Witte, Mr. Speaker.
Total 61

Noes: Arntzen, Augare, Barrett, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cordier, Dickenson, Franklin, Furey, Gallik, Grinde, Hands, Hendrick, Hilbert, Hiner, Hollenbaugh, Jopek, Jore, Kasten, Keane, Lake, McGillvray, Musgrove, Noonan, O'Hara, Peterson, Phillips, Pomnichowski, Small-Eastman, Sonju, Wells, Wilson, Windy Boy, Wiseman.
Total 39

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 503 - Representative Gallik moved **HB 503** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: Sonju.
Total 1

HB 569 - Representative Rice moved **HB 569** do pass. Motion carried as follows:

y, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Mr. Speaker.
Total 80

Noes: Bixby, Caferro, Campbell, Furey, Gallik, Grinde, Groesbeck, Hands, Ingraham, Jacobson, Jayne, W. Jones,

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Jopek, Jore, Keane, Koopman, Noonan, Sesso, Wiseman, Witte.
Total 20

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 14 - Representative Heinert moved **HJR 14** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.
Total 82

Noes: Blasdel, Butcher, Hawk, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Morgan, O'Hara, Peterson, Ripley, Ross, Taylor, Windy Boy, Mr. Speaker.
Total 18

Voted Absentee: Sands, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Augare, Callahan, Cohenour, Dickenson, Franklin, Gallik, Jayne, Small-Eastman, Villa.
Total 9

Excused: Sands.

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Total 1

Absent or not voting: Blasdel, Hawk, Lange, MacLaren, Nooney.

Total 5

Majority Leader Lange moved that the House stand in recess until 5:10 p.m. Motion carried.

House recessed at 3:00 p.m.

The House reconvened at 5:10 p.m.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/14/2007

SB 56, introduced by Ryan

SB 189, introduced by Kitzenberg

SB 215, introduced by Harrington

SB 302, introduced by Barkus

SB 342, introduced by Squires

House bill concurred in and returned to the House:

2/14/2007

HB 470, introduced by Olson

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blasdel in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 17 - Representative Cohenour moved **HJR 17** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 82

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Kasten, Kerns, Lake, Malcolm, Morgan, Sinrud, Sonju, Stoker, Taylor, Mr. Speaker.

Total 17

Voted Absentee: Sands, Aye.

Excused: None.

Total 0

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Absent or not voting: L. Jones.
Total 1

HB 417 - Representative Lange moved consideration of **HB 417** be placed above **HB13**. Motion carried.

HJR 8 - Representative Hendrick moved **HJR 8** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 61

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Wilmer, Wiseman.
Total 38

Excused: None.
Total 0

Absent or not voting: Hiner.
Total 1

HB 417 - Representative Hollenbaugh moved **HB 417** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Butcher, Himmelberger, Jore, Kasten, Koopman, McGillvray, Sinrud, Stahl, Wells, Witte, Mr. Speaker.
Total 11

Excused: None.
Total 0

Absent or not voting: Hiner.
Total 1

HB 13 - Representative Sesso moved **HB 13** do pass.

HB 13 - Representative McChesney moved **HB 13**, second reading copy, be amended.

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HB 13 - Representative Keane moved for cloture. With two-thirds vote required, motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cohenour, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 The motion to pass **HB 13** amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 - The motion **HB 13** do pass **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Boggio, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Bixby, Branae, Campbell, Dickenson, Grinde, Groesbeck, Hendrick, Hiner, Ingraham, Jacobson, Jayne, Jopek, Noonan, Phillips, Ross, Sands, Sesso, Small-Eastman, Thomas, Wells.

Total 20

Excused: None.

Total 0

Absent or not voting: Blasdel, Hollenbaugh, Lange.

Total 3

MOTIONS

Majority Leader Lange moved that **HB 13** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 273** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 547** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 569** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, February 16, 2007. Motion carried.

House adjourned at 6:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 16, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Dutton. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Ward. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-second and thirty-third legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

2/16/2007

Signed by the Speaker at 8:10 a.m., February 16, 2007: **HB 470**.

Signed by the President at 10:00 a.m., February 16, 2007: **HB 470**.

Delivered to the Governor for approval at 11:00 a.m., February 16, 2007: **HB 470**.

Delivered to the Governor for approval at 11:00 a.m., February 16, 2007: **HB 23**.

AGRICULTURE (Butcher, Chairman):

2/15/2007

HB 392, introduced bill, be amended as follows:

1. Title, line 5.

Following: "ENTITIES THAT MUST"

Insert: "REBUILD,"

Following: "MOVE"

Insert: ", RETROFIT, REMODEL, OR RECONSTRUCT"

2. Page 1, line 11.

Following: "facilities."

Insert: "(1)"

3. Page 1, line 12.

Strike: "regulations"

Insert: "laws or rules"

4. Page 1, line 13.

Strike: "building"

Insert: "rebuilding"

5. Page 1, line 15.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

Following: "facility was"

Insert: "initially"

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6. Page 1, line 18.

Strike: "build"

Insert: "rebuild"

7. Page 1, line 22.

Following: "conducted"

Insert: "and best management practices were followed"

8. Page 1, line 24.

Following: "law"

Insert: " or rule"

9. Page 1, line 26.

Strike: "new"

Insert: "rebuilt, moved, retrofitted, remodeled, or reconstructed"

10. Page 1.

Following: line 26

Insert: "(2) For the purposes of this section, "existing facility" means a facility that is permitted pursuant to this part."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/15/2007

HB 594, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

2/12/2007

HB 77, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "RECIPIENTS"

Strike: ", "

Insert: "AND"

2. Title, page 1, line 8, through page 1, line 9.

Following: "RECIPIENTS"

Strike: ", AND PROVIDING PENALTIES FOR FALSE MEDICAID CLAIMS" on line 8

Strike: "SECTIONS" on line 8

Insert: "SECTION"

Strike: "17-8-403, 17-8-410, AND" on line 9

Following: "PROVIDING" on line 9

Insert: "AN"

Strike: "DATES" on line 9

Insert: "DATE"

3. Page 1, line 20.

Strike: "regarding the"

Insert: "to determine during what"

Strike: "for which"

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4. Page 2, line 3.

Following: "format of the claim"

Insert: "form"

5. Page 2, line 4.

Following: "at the"

Strike: "time" through "is provided"

Insert: "point of sale that is the basis of the claim"

6. Page 2, line 5.

Following: "within"

Strike: "3 years after the"

Insert: "the 3-year period beginning on the"

7. Page 2.

Following: line 8

Insert: "(5) This section may not be construed to:

(a) require that a third party pay any department claim for services or items that are not covered under the applicable health care plan;

(b) require that any third-party administrator, fiscal intermediary, or other contractor pay a department claim from its own funds unless the entity also bears the financial obligation for the claim under the applicable plan documents;

(c) impose any liability on an entity to pay claims that the entity does not otherwise bear; or

(d) negate any right of indemnification against a plan sponsor or other entity with ultimate liability for health care claims by a third-party administrator, fiscal intermediary, or other contractor that pays the claims."

8. Page 2, line 10 through page 6, line 10.

Strike: section 2 through section 5 in their entirety

Renumber: subsequent sections

9. Page 6, line 27.

Strike: "(1)"

10. Page 6, line 29 through line 30.

Strike: line 29 through line 30

11. Page 3, line 2 through line 4.

Following: "date." on line 2

Strike: "(1) Except" on line 2 through "[Section 1]" on line 4

Insert: "[This act]"

And, as amended, be adopted. Report adopted.

HB 157, introduced bill, be amended as follows:

2/15/2007

1. Title, page 1, line 8.

Following: "TO PAY"

Insert: "HEALTH CARE"

2. Page 2, line 10 through line 11.

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Following: "costs for"

Strike: "newly required" on line 10 through "2006, and" on line 11

3. Page 2, line 29.

Following: "to pay"

Insert: "health care"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

2/15/2007

HB 450, introduced bill, be amended as follows:

1. Page 5, line 14.

Strike: "87-2-106(9)"

Insert: "87-2-106(10)"

Strike: "87-2-106(10)"

Insert: "87-2-106(11)"

And, as amended, do pass. Report adopted.

HB 497, introduced bill, be amended as follows:

1. Title, line 6.

Following: "NURSE"

Insert: "OR A LICENSED PHYSICIAN ASSISTANT"

2. Page 3, line 4.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

3. Page 3, line 7.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

4. Page 3, line 10.

Following: "physician"

Strike: "or"

Insert: ", "

Following: "nurse"

Insert: ", or a licensed physician assistant"

And, as amended, do pass. Report adopted.

HJR 16, introduced joint resolution, be amended as follows:

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1. Title, line 5.

Following: "THAT THE"

Insert: "REVISION AND"

2. Page 1, line 21.

Following: "That the"

Insert: "revision and"

3. Page 1, line 22.

Following: "in the"

Insert: "revision and"

4. Page 1, line 23.

Following: "in the"

Insert: "revision and"

And, as amended, be adopted. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/16/2007

HB 616, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/15/2007

SB 270, introduced by Larson

SB 285, introduced by Cooney

SB 287, introduced by Weinberg

SB 291, introduced by Perry

SB 319, introduced by Cocchiarella

SB 364, introduced by Story

SB 367, introduced by Lind

MOTIONS

Majority Leader Lange moved to reconsider action on **HB 13** for purpose of reprinting and placing on second reading. There being no objections, so ordered.

Majority Leader Lange moved **HB 340** be taken from third reading and rereferred to the Committee on Judiciary. There being no objections, so ordered.

MESSAGES FROM THE GOVERNOR

February 16, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

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Dear Representative Sales:

Please be informed that I have signed **House Bill 21** sponsored by Representative Morgan on February 16, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

- HB 730**, introduced by Heinert, referred to Business and Labor.
HB 731, introduced by Small-Eastman, referred to Judiciary.
HB 732, introduced by Small-Eastman, referred to Education.
HB 733, introduced by Small-Eastman, referred to Education.
HB 734, introduced by McAlpin, referred to Human Services.
HB 735, introduced by Hilbert, Pomnichowski, referred to Transportation.
HB 736, introduced by Villa, Laslovich, Hiner, referred to Appropriations.
HB 737, introduced by Hilbert, Brueggeman, Sonju, referred to Transportation.
HB 738, introduced by Mendenhall, Cocchiarella, referred to Business and Labor.
HB 739, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.
HB 740, introduced by Olson, referred to State Administration.
HB 741, introduced by L. Jones, Clark, Thomas, Stahl, Augare, Boggio, referred to Business and Labor.
HB 742, introduced by Raser, Parker, Sinrud, Wells, Callahan, Furey, Branae, Small-Eastman, Grinde, Bixby, Hendrick, Kottel, McChesney, Erickson, Augare, L. Jones, Villa, Hamilton, Henry, Ward, French, Hands, Cohenour, referred to Judiciary.
HB 743, introduced by Clark, Lind, Morgan, Cobb, Jayne, Weinberg, referred to Human Services.
HB 744, introduced by Rice, referred to Education.
HB 745, introduced by Pomnichowski, Reinhart, Hands, Jopek, Wiseman, referred to Business and Labor.
HB 746, introduced by Erickson, referred to Taxation.
HB 747, introduced by Wilmer, Grinde, Callahan, Cohenour, Hamilton, Branae, Henry, Driscoll, Raser, Kottel, Cordier, Reinhart, Gallik, referred to Human Services.
HB 748, introduced by Sonju, referred to Taxation.
HB 749, introduced by Cohenour, referred to Business and Labor.
HB 750, introduced by Wilmer, Juneau, Campbell, Small-Eastman, Bixby, Jayne, Augare, Windy Boy, referred to Education.
HB 751, introduced by Stoker, referred to Judiciary.
HB 752, introduced by Sinrud, Rice, Glaser, Beck, Himmelberger, K. Peterson, Witte, Stoker, Kerns, Barrett, Wells, Clark, Sales, Boggio, Taylor, Sonju, Dutton, McGillvray, referred to State Administration.
HB 753, introduced by Hands, referred to Federal Relations, Energy, and Telecommunications.

The following House joint resolutions were introduced, read first time, and referred to committees:

- HJR 40**, introduced by Windy Boy, Butcher, Campbell, Hamilton, Kasten, Bergren, Dutton, McNutt, Olson, Kitzenberg, referred to Federal Relations, Energy, and Telecommunications.
HJR 41, introduced by Furey, Jacobson, Hiner, Van Dyk, Nooney, Villa, Callahan, Hands, Keane, Parker, Bergren, Thomas, Dickenson, Augare, Musgrove, Wiseman, Noonan, McAlpin, Cohenour, Franklin, Henry, Reinhart, Raser, McChesney, Caferro, Windy Boy, Milburn, Arntzen, Driscoll, Wilmer, Gallik, Ankney, referred to State Administration.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 417 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Butcher, Dickenson, Himmelberger, Jore, Koopman, McGillvray.

Total 6

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 503 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 520 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cordier, Dutton, Ebinger, Everett, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger,

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Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 70

Noes: Bixby, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Phillips, Pomnichowski, Raser, Sesso, Small-Eastman, Van Dyk, Wilmer, Windy Boy.

Total 29

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 8 adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 58

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Wilson, Wiseman.

Total 41

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 14 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 84

Noes: Blasdel, Butcher, Hawk, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Morgan, Peterson, Ripley, Taylor, Van Dyk, Witte.

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Total 15

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 17 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Himmelberger, Kerns, Lake, Malcolm, Mendenhall, Morgan, Sesso, Sonju, Stoker, Taylor.

Total 15

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 1:30 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative K. Peterson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 312 - Representative Lange moved **HB 312** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 350 - Representative Sinrud moved **HB 350** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 19 - Representative Morgan moved **HJR 19** be adopted.

HJR 19 - Representative Morgan moved **HJR 19**, second reading copy, be amended as follows:

1. Title, line 8.

Following: "~~GENERAL~~"

Insert: "OR TO BRING A STATE LAW THAT PREVENTS ACCESS TO THE ATTENTION OF THE LEGISLATURE, THE GOVERNOR, OR THE ATTORNEY GENERAL"

2. Page 2, line 16.

Following: line 15

Insert: " BE IT FURTHER RESOLVED, that if there are provisions of state law that persons with chronic illness, family members, or medical and mental health care professionals believe to be contrary to HIPAA and worthy of an exception, they bring it to the attention of the Legislature, the Governor, or the Attorney

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General to seek an exception to the general rule of federal preemption."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Wilson.
Total 1

HJR 19 - The motion to pass **HJR 19** as amended carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Beck, Franklin, Gallik, Hiner, Jayne, Jore.
Total 6

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Henry.
Total 1

HB 35 - Representative Keane moved **HB 35** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jayne, Jore, Peterson, Mr. Speaker.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 37 - Representative Reinhart moved **HB 37** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Nooney, O'Hara, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 60 - Representative Parker moved **HB 60** do pass. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 204 - Representative Kasten moved **HB 204** do pass. Motion passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman K. Peterson moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

Total 54

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Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Excused: Ward.

Total 1

Absent or not voting: Jore, Nooney, Peterson.

Total 3

MOTIONS

Majority Leader Lange moved that **HB 717** be moved from the Committee on Fish, Wildlife and Parks and be rereferred to the Committee on Natural Resources.

UNFINISHED BUSINESS

HB 479, introduced by Raser, the following sponsors were added:
Reps. Arntzen, O'Hara and Olson.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 17, 2007. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 17, 2007

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call: All members present, except Representative Milburn and Representative Ward who were excused. Quorum present.

Speaker Sales introduced two new pages for the day.

Quinn Collins, Helena
Sean Collins, Helena

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 89

Noes: Jayne, Jore, Peterson, Wells, Windy Boy, Witte, Mr. Speaker.

Total 7

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Gallik, W. Jones, Malcolm, Parker.

Total 4

HB 37 passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Voted Absentee: Milburn, Ward, Noes.

Excused: None.

Total 0

Absent or not voting: Parker.

Total 1

HB 204 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 312, requiring two-thirds vote of the entire Legislature, passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson,

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Windy Boy, Wiseman.
Total 49

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 350 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/16/2007
Correctly engrossed: **HB 77, HB 157, HB 392, HB 450, HB 497.**
Correctly engrossed: **HJR 16.**
Correctly printed: **HB 594, HB 616.**

JUDICIARY (Rice, Chairman): 2/16/2007
HB 455, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "AND"

2. Title, line 7.
Following: "PAID"
Insert: "; AND AMENDING SECTION 46-18-234, MCA"

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3. Page 1, lines 20 through 27.

Strike: section 2 in its entirety

Renumber: subsequent sections

4. Page 2.

Following: line 6

Insert: "**Insert: "Section 3.** Section 46-18-234, MCA, is amended to read:

"46-18-234. When payment of fine or costs due. (1) Whenever a defendant is sentenced to pay a fine or costs under 46-18-231 or 46-18-232, the court may grant permission for payment to be made within a specified period of time or in specified installments. If ~~no such~~ permission is not included in the sentence, the payment is due immediately.

(2) If a justice's court imposes a fine for a criminal offense, the court may allow the fine to be paid over a period of time as determined by the court. If the court allows payment over time, the court shall provide, in a written order, statement, or agreement with the defendant, the period of time over which the fine or penalty must be paid and that, in addition to any other probationary period provided by statute, the defendant is on probation until the fine is paid. If the defendant fails to pay the fine in the period of time allowed by the court, the court may revoke the defendant's probation. The court retains jurisdiction over the defendant until the defendant complies with the order, statement, or agreement."

Renumber: subsequent sections

5. Page 2, lines 10 and 11.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

6. Page 2, line 12.

Strike: "[Section 3]"

Insert: "[Section 2]"

7. Page 2, line 13.

Strike: "[section 3]"

Insert: "[section 2]"

And, as amended, do pass. Report adopted.

HB 630, do pass. Report adopted.

HB 636, introduced bill, be amended as follows:

1. Page 3, line 5.

Following: "~~(a)~~"

Insert: "(a)"

2. Page 3, line 9.

Insert: "(b) The term does not include the use of generally accepted management techniques that employ performance objectives as part of an overall employee evaluation."

And, as amended, do pass. Report adopted.

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LOCAL GOVERNMENT (Arntzen, Chairman):

2/16/2007

HB 265, do pass. Report adopted.

HB 524, introduced bill, be amended as follows:

1. Page 1, line 14.

Following: "than"

Insert: "300 registered electors or"

Following: "electors"

Insert: ", whichever is less,"

And, as amended, do pass. Report adopted.

HB 596, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/16/2007

SB 8, introduced by Shockley

SB 75, introduced by Hawks

SB 258, introduced by Shockley

SB 318, introduced by J. Peterson

SB 348, introduced by Gallus

SB 422, introduced by Gebhardt

House bill concurred in and returned to the House:

2/16/2007

HB 333, introduced by McChesney

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 754, introduced by Barrett, McGee, referred to Natural Resources.

HB 755, introduced by Keane, referred to Business and Labor.

HB 756, introduced by L. Jones, referred to Business and Labor.

HB 757, introduced by Rice, referred to Business and Labor.

HB 758, introduced by Kerns, referred to Federal Relations, Energy, and Telecommunications.

HB 759, introduced by Hendrick, Morgan, Lambert, Vincent, Ankney, Olson, referred to Fish, Wildlife and Parks.

HB 760, introduced by Grinde, referred to State Administration.

HB 761, introduced by French, Furey, Hands, Wiseman, Wilson, Erickson, Hamilton, Cohenour, referred to Education.

HB 762, introduced by French, referred to Judiciary.

HB 763, introduced by Ankney, Olson, Vincent, referred to Federal Relations, Energy, and Telecommunications.

HB 764, introduced by Milburn, referred to Business and Labor.

HB 765, introduced by Olson, referred to State Administration.

HB 766, introduced by Sonju, Mendenhall, referred to Business and Labor.

HB 767, introduced by Himmelberger, referred to State Administration.

HB 768, introduced by Gallik, referred to Judiciary.

HB 769, introduced by Lake, Ingraham, Elliott, Wiseman, Wanzenried, Lewis, Hands, referred to Education.

HB 770, introduced by Pomnichowski, Cohenour, referred to Fish, Wildlife and Parks.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 522 - Representative Sinrud moved **HB 522** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Olson.
Total 1

HB 523 - Representative Sinrud moved **HB 523** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 52

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 305 - Representative Thomas moved **HB 305** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Clark, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 71

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Driscoll, Franklin, Gallik, Grinde, Hamilton, Hands, Henry, Jacobson, Jayne, McAlpin, Musgrove, Noonan, Parker, Peterson, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer.

Total 29

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 310 - Representative Dutton moved **HB 310** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Becker, Caferro, Dickenson, Gallik, Hamilton, Hollenbaugh, Jacobson, Jayne, Sonju.

Total 9

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Glaser, Henry.

Total 2

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HB 389 - Representative Barrett moved **HB 389** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Campbell, Grinde, Keane.

Total 3

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 397 - Representative Lange moved consideration of **HB 397** be passed for the day. Motion carried.

HB 462 - Representative Sands moved **HB 462** do pass.

HB 462 - Representative Sands moved **HB 462**, second reading copy, be amended as follows:

1. Page 1, line 21.

Following: "in"

Insert: "13-37-216, 13-37-229 through 13-37-231, and"

Amendment adopted as follows:

Ayes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Voted Absentee: Milburn, Ward, Noes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 462 - The motion to pass **HB 462** as amended, carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kerns, Kottel, Lange, Malcolm, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 63

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Klock, Koopman, Lake, Lambert, MacLaren, McGillvray, McNutt, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Sonju, Wells, Witte.

Total 37

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 40 - Representative Gallik moved **HB 40** do pass. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Keane, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Hendrick, Himmelberger, Jayne, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lange, Malcolm, McGillvray, McNutt, Mendenhall, O'Hara, Olson, Peterson, Ripley, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 35

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 97 - Representative Barrett moved **HB 97** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Becker.

Total 1

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 198 - Representative W. Jones moved **HB 198** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Barrett, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Mendenhall, Ripley, Ross, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 17

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 214 - Representative Windy Boy moved **HB 214** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Boggio, Jore, Koopman, McGillvray.
Total 4

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 256 - Representative Lake moved **HB 256** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 85

Noes: Augare, Becker, Caferro, Callahan, Cohenour, Dutton, Erickson, Furey, Hands, Hiner, McAlpin, Noonan, Peterson, Wiseman.
Total 14

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

Representative Hollenbaugh assumed the chair.

HB 283 - Representative Campbell moved **HB 283** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Barrett, Beck, Boggio, Everett, Hawk, Himmelberger, Jore, Kerns, Koopman, Lambert, Mendenhall, Morgan, Rice, Ripley, Witte, Mr. Speaker.

Total 16

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: L. Jones, Sinrud.

Total 2

HB 427 - Representative Bergren moved **HB 427** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman.

Total 2

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Sands.

Total 1

Representative Bergren reassumed the chair.

HB 435 - Representative Parker moved **HB 435** do pass.

HB 435 - Representative Gallik moved **HB 435**, second reading copy, be amended as follows:

1. Page 2, lines 3 and 4.

Strike: "OR" on line 3 through "CRIME."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour,

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Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 71

Noes: Barrett, Beck, Blasdel, Butcher, Clark, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Mr. Speaker.
Total 29

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 435 - The motion to pass **HB 435** as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jayne.
Total 1

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 467 - Representative K. Peterson moved **HB 467** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Driscoll, Dutton, Everett, Franklin, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wiseman, Witte,

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Mr. Speaker.
Total 65

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, French, Furey, Grinde, Groesbeck, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McChesney, McNutt, Milburn, Noonan, Parker, Pomnichowski, Sands, Sesso, Small-Eastman, Ward, Wilmer, Wilson, Windy Boy.
Total 35

Voted Absentee: Milburn, Ward, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 468 - Representative McGillvray moved **HB 468** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Erickson, Franklin, French, Glaser, Grinde, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 79

Noes: Augare, Butcher, Caferro, Callahan, Driscoll, Everett, Furey, Gallik, Groesbeck, Hands, Hawk, Jacobson, Jayne, Jopek, Keane, Parker, Peterson, Raser, Ripley, Wilson.
Total 20

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Ebinger.
Total 1

HB 496 - Representative French moved **HB 496** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

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Noes: None.
Total 0

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 514 - Representative Noonan moved consideration of **HB 514** be passed for the day. Motion carried.

HB 533 - Representative Ankney moved **HB 533** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.
Total 94

Noes: Callahan, Ingraham, McAlpin, Sesso, Windy Boy, Wiseman.
Total 6

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 633 - Representative Dutton moved **HB 633** do pass. Motion carried as follows:

Ayes: Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Ankney, Augare, Blasdel, Callahan, Himmelberger, Jayne, Jore, Koopman, Peterson, Sesso, Sonju, Taylor, Windy Boy.
Total 13

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Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Henry, Lake, Sinrud.

Total 3

HB 554 - Representative Cohenour moved **HB 554** do pass. Motion **failed** as follows:

Ayes: Augare, Becker, Bixby, Branae, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Keane, Kottel, Malcolm, McAlpin, Morgan, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Villa, Wilmer, Wilson.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Everett, Glaser, Hawk, Heinert, Himmelberger, Ingraham, Jayne, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Nooney, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 51

Voted Absentee: Milburn, Ward, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 466 - Representative Jore moved **HB 466** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 81

Noes: Augare, Becker, Callahan, Campbell, Franklin, Hollenbaugh, Jayne, Jopek, Kerns, Lambert, Morgan, Parker, Small-Eastman, Stoker, Villa, Wilson, Windy Boy, Wiseman.

Total 18

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.

Total 0

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Absent or not voting: Butcher.
Total 1

HB 521 - Representative Arntzen moved **HB 521** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jayne.
Total 1

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 579 - Representative Olson moved **HB 579** do pass.

HB 579 - Representative Olson moved **HB 579**, second reading copy, be amended as follows:

1. Page 1, line 16 through line 17.

Strike: ", along" on line 16 through "money," on line 17

2. Page 1, line 20 through line 21.

Strike: "and" on line 20 through the first "treasurer" on line 21

3. Page 1, line 21.

Following: "in"

Strike: "the"

Insert: "a written"

Strike: "of"

Insert: "from"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Callahan, Driscoll, Wilmer.
Total 3

HB 579 - The motion to pass **HB 579** as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Milburn, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 88

Noes: Becker, Callahan, Cohenour, Franklin, Sonju.
Total 5

Excused: Milburn, Ward.
Total 2

Absent or not voting: Ankney, Parker, Sesso, Thomas, Wilmer.
Total 5

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (McNutt, Chairman):
HB 205, introduced bill, be amended as follows:

2/17/2007

1. Title, line 5.
Strike: "REQUIREMENTS"
Following: "THAT"
Insert: "A CONTROLLED GROUND WATER AREA PETITION"
Strike: "MET"
Insert: "CORRECT AND COMPLETE"
2. Title, line 6.
Strike: "ACCEPT A PETITION"
Insert: "PROCEED"
Following: "PETITION;"
Strike: "PROVIDING FOR A BOND;"
3. Title, line 8.
Following: "RULES;"
Insert: "PROVIDING FOR CONTESTED CASE PROCEEDINGS;"
4. Page 1, line 14 through line 15.
Following: "costs" on line 14
Strike: remainder of line 14 through "bonding" on line 15
5. Page 1, line 18.
Strike: "70% "
Insert: "51% "
Strike: "users"
Insert: "permitholders, certificate holders, and claimants"
6. Page 1, line 24.
Following: "ground water area"
Insert: "resulting in adverse effects to a prior appropriator's appropriation right"

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7. Page 1, line 29.

Strike: "cause"

Insert: "induce or alter"

8. Page 2, line 4.

Following: "(b)"

Insert: "(i)"

Strike: "accept or consider"

Insert: "proceed with"

Following: "unless"

Strike: "∴"

9. Page 2, line 5.

Strike: "(i)"

10. Page 2, line 7.

Following: "analysis"

Strike: "on"

Insert: "and scientific data showing that"

Following: "(2)(a)"

Insert: "is occurring"

11. Page 2, line 8 through line 10.

Strike: subsection (ii) in its entirety

Insert: "(ii) The department shall, within 60 days, notify the petitioner in writing regarding whether or not the petition is correct and complete. If a petition is not correct and complete, the department must identify any deficiencies or scientific data necessary to make the petition correct and complete.

(iii) A petition that is not made correct and complete within 60 days from the date of receipt of notification by the department of any defect is terminated as a matter of law."

12. Page 2, line 17.

Strike: "(6)"

Insert: "(7)"

13. Page 2, line 21.

Following: "(3)"

Strike: "When a proposal is made"

Insert: "Within 90 days from the date of notice that the department has determined that a petition is correct and complete"

Following: "been met,"

Insert: "affected parties may object to the proposed controlled ground water area."

14. Page 2, line 21 through line 25.

Strike: "the department" on line 21 through "(6)," on line 25

15. Page 2, line 25.

Following: "(6),"

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Insert: "Within 30 days of determination that an application is correct and complete,"

Following: "notice of the"

Strike: "hearing"

Insert: "opportunity to object"

16. Page 2, line 29.

Following: "the"

Strike: "purpose of the hearing"

Insert: "opportunity to object"

17. Page 2, line 30 through page 3, line 1.

Following: "the time"

Strike: " and place" on page 2, line 30 through "heard" on page 3, line 1

Insert: "limit that applies to filing objections to the proposed controlled ground water area" on page 3, line 1

18. Page 3, line 2.

Strike: "(5)"

Insert: "(4)"

Following: "notice of"

Strike: "hearing"

Insert: "the opportunity to object"

Strike: "month"

Insert: "week"

Strike: "3"

Insert: "2"

19. Page 3, line 3.

Strike: "90"

Insert: "60"

Following: "before the"

Insert: "final"

Strike: "of the hearing"

Insert: "for objections"

20. Page 3, line 5.

Strike: "copy"

Insert: "summary"

21. Page 3, line 6.

Strike: "30"

Insert: "60"

Strike: "hearing"

Insert: "termination of the time allowed for objections"

22. Page 3, line 19.

Strike: "petition"

Insert: "notice"

23. Page 3, line 20.

Following: "owner"

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Insert: "of record"

24. Page 3, line 24.

Strike: "hearing"

Insert: "opportunity to object"

25. Page 3.

Following: line 24

Insert: "(5) If the department does not receive an objection within the 90-day objection period, the department shall, within 60 days of the termination of the objection period, deny the petition for a controlled ground water area or grant the controlled ground water area petition. The denial or granting of the controlled ground water area is the final agency action for petitions that did not receive an objection.

(6) If an objection is received, the department shall assign the controlled ground water area petition to a department legal unit hearings officer for a contested case proceeding as provided in Title 2, chapter 4, part 6. The contested case proceeding is available to the applicant and to any objector."

Renumber: subsequent subsections

26. Page 3, line 26.

Strike: "department" through "salary,"

27. Page 3, line 30 through Page 4, line 5.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

28. Page 4, line 6.

Following: "(2)"

Strike: "After the conclusion of the hearing"

Insert: "Pursuant to the contested case provisions of Title 2, chapter 4, part 6"

Strike: "department"

Insert: "hearings officer"

29. Page 4, line 7.

Strike: "department" in both places

Insert: "hearings officer" in both places

30. Page 5, line 10.

Strike: "department"

Insert: "hearings officer"

31. Page 5, line 11.

Strike: "department"

Insert: "hearings officer"

32. Page 5, line 15 through line 18.

Strike: "The department" on line 15 through "extension." on line 18

33. Page 5, line 19.

Strike: "and any extensions of the time period"

34. Page 5, line 22.

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Following: "be presented"

Strike: "at"

Insert: "to the hearings officer for "

35. Page 5, line 23.

Strike: "appearing at the first hearing"

Insert: "to the contested case"

36. Page 5, line 28 through line 29.

Strike: "by the department" on line 28 through "law and" on line 29

Insert: "pursuant to Title 2, chapter 4, part 6. The hearings officer shall"

37. Page 6, line 1.

Strike: "or extension of the period"

38. Page 6, line 2.

Strike: "or extension"

39. Page 6, line 5.

Strike: "department"

Insert: "hearings officer"

40. Page 6, line 6.

Strike: "hearing"

Insert: "the opportunity to object"

41. Page 6, line 7.

Strike: "department"

Insert: "hearings officer"

42. Page 6, line 16 through line 18.

Strike: subsection (8) in its entirety

Renumber: subsequent sections

43. Page 6, line 21.

Strike: "85-2-506(6)"

Insert: "85-2-506(7)"

And, as amended, do pass. Report adopted.

HB 271, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "an"

Insert: "a natural resource"

2. Page 1, line 24 through line 25.

Strike: "(e)"

Insert: "(d)"

Strike: "regulated by" on line 24 through "quality" on line 25

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And, as amended, do pass. Report adopted.

HB 304, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AGENCY OVERSIGHT"

Insert: "RESEARCH AND STUDY"

Following: "ISSUES"

Strike: "FOR CERTAIN AGENCIES"

2. Title, line 7.

Following: "COMMITTEE;"

Insert: " PROVIDING AN APPROPRIATION;"

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 7 through line 8.

Strike: "75-1-324" on line 7 through "85-2-436," on line 8

4. Page 2, line 7 through line 10.

Strike: "has administrative" on line 7 through "85-2-105." on line 11

Insert: "is subject to the provisions of 5-5-211 and the committee members appointed must be selected from the following standing committees:

(a) senate natural resources and energy;

(b) house natural resources;

(c) senate local government; and

(d) house local government.

(2) The water policy interim committee shall conduct a detailed analysis and study of issues related to water quantity, water quality, and water use in Montana. The study must include the following issues at a minimum:

(a) surface water and ground water in closed basins and mitigation, augmentation, or aquifer recharge, including:

(i) review and summary of current Montana law related to mitigation, augmentation, or aquifer recharge;

(ii) analysis of other states' laws and rules related to mitigation, augmentation, or aquifer recharge and the other states' experiences with applying and using mitigation, augmentation, and aquifer recharge;

(iii) comparison of mitigation, augmentation, and aquifer recharge options and alternatives for applying the concepts in Montana water law;

(iv) analysis and determination of water quality testing requirements to ensure that the use of mitigation, augmentation, or aquifer recharge does not adversely affect ground water quality;

(v) analysis of data developed to determine the type and amount of research, data, and analysis necessary to develop a scientifically defensible hydrogeologic assessment to be used in making informed decisions with regard to mitigation, augmentation, or aquifer recharge activity in Montana;

(vi) appropriate monitoring requirements to determine the effectiveness of mitigation, augmentation, or aquifer recharge plans; and

(vii) other issues related to mitigation, augmentation, or aquifer recharge in Montana to facilitate continued economic development and growth while providing reasonable protections to senior appropriators and water quality of surface and ground water resources;

(b) methods for the management of water, particularly in closed basins, to ensure compliance with closed basin law, including:

(i) artificial recharge of ground water, including but not limited to alternatives such as aquifer storage and recovery;

(ii) identifying research necessary, if any, to determine alternatives and options for conducting water

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management through artificial recharge of ground water; and

(iii) conducting a water quality analysis associated with storage or introduction of surface water to ground water resources;

(c) determining an appropriate, accurate, and time- efficient process for coordinating water quality requirements with the water appropriations process by:

(i) determining how the department of environmental quality and the department of natural resources and conservation are issuing permits that affect ground water or surface water quality and whether or not the water appropriation process and the water quality process are coordinated;

(ii) ensuring that a detailed process is outlined that provides potential applicants with a clear process that must be followed to ensure that prior appropriators and water quality in both surface water and ground water are protected while allowing development in Montana; and

(iii) identifying the extent to which cumulative impacts are analyzed from a water quantity and a water quality perspective and whether or not the two findings are assessed jointly and determining the appropriate level of coordination;

(d) wells that are exempt from the permitting process pursuant to 85-2-306, including:

(i) a detailed reporting of the number of exempt wells currently in Montana and an estimate of the number of exempt wells expected to be developed by 2020;

(ii) a determination and summary of the types of beneficial uses to which water from exempt wells is applied;

(iii) a determination of the hydrogeologic analysis necessary to determine consumptive use on a per-acre or fraction of an acre basis and on a per-use basis;

(iv) an analysis of the amount of water reasonably necessary for the various beneficial uses and a comparison of this reasonable use standard with current statutory limits, including volume, flow rate, and other criteria that the committee determines are necessary to provide for accurate and adequate measurement of water use through exempt wells;

(v) options and alternatives for enforcing statutory limitations regarding exempt well usage; and

(vi) a determination of the necessity and reasons for providing a process that is exempt from the permitting process;

(e) an analysis of water marketing and water reallocation options available in Montana, including:

(i) leasing water rights, water banking, water trading, and water sales;

(ii) the lease-to-sale ratio of water rights in Montana;

(iii) the number of market purchases that have been completed in Montana;

(iv) the purposes for which water trades or sales have taken place;

(v) the feasibility of creating and operating a water bank in Montana; and

(vi) the administrative procedures and costs that would be necessary to establish and operate a water bank in Montana.

(3) The committee shall gather appropriate information that the committee determines is necessary to make sound and well-reasoned policy decisions to guide the management and use of Montana's ground water resource into the future, including but not limited to:

(a) identifying gaps in data necessary to determine appropriate locations to conduct artificial recharge of ground water; and

(b) presenting long-term goals and policy proposals for water management related to ground water resources.

(4) The committee shall prepare a report to submit to the 61st legislature that provides clear policy direction and necessary legislation to guide Montana's water policy and that ensures fair and reasonable use of Montana's water resource as demands on water increase while supplies remain the same or decrease."

5. Page 2, line 13 through page 9, line 25.

Strike: section 3 through section 9 in their entirety

Renumber: subsequent sections

6. Page 9.

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Following: line 25

Insert: "NEW SECTION. Section 3. Appropriation. (1) There is appropriated \$50,000 from the general fund for the biennium beginning July 1, 2007, to the water policy interim committee for the purpose of completing a water quantity and water quality policy analysis.

(2) There is appropriated \$50,000 from the general fund for the biennium beginning July 1, 2007, to the Montana bureau of mines and geology for the purpose of collecting and compiling existing ground water and aquifer testing data."

Renumber: subsequent sections

7. Page 9, line 30.

Strike: "on passage and approval"

Insert: "July 1, 2007"

8. Page 10, line 2.

Strike: "[Section 7]"

Insert: "[This act]"

Strike: "2020"

Insert: "2009"

And, as amended, do pass. Report adopted.

HB 276, do pass. Report adopted.

HB 401, do pass. Report adopted.

HJR 34, be adopted. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/17/2007

HB 27, introduced bill, be amended as follows:

1. Page 5, line 3.

Following: "phase"

Insert: "I and phase"

2. Page 5, line 5.

Following: "phase"

Insert: "I and phase"

3. Page 5, line 8.

Following: "phase"

Insert: "I and phase"

4. Page 5, line 11.

Following: "provide phase"

Insert: "I and phase"

Following: "a phase"

Insert: "I and phase"

And, as amended, do pass. Report adopted.

MOTIONS

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Majority Leader Lange moved that **HB 753** be moved from the Committee on Federal Relations, Energy and Telecommunications to the Committee on Natural Resources. There being no objections, so ordered.

Majority Leader Lange moved that **HB 97**, be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 283** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 533** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 466** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 60** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 462** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

UNFINISHED BUSINESS

HB 564, introduced by McGillvray, the following sponsors were added:
Reps. MacLaren and Nooney.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Monday, February 19, 2007. Motion carried.

House adjourned at 10:45 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 19, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Taylor. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Speaker Sales introduced the new pages for the week:

Pages:	Nathaniel Wagner, Kalispell
	John Stiles, Bozeman
	Amanda Lashelle, Bozeman
	Brigid Shearer, Billings
	Emma Sales, Bozeman
	Joel Pratt, Miles City
	Sierra Chambers, Clancy
	Patrick Lopach, Helena

Speaker Sales introduced Harry Fritz, who spoke to the chamber as President Abraham Lincoln, the sixteenth President of the United States.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):	2/16/2007
Correctly enrolled: HB 333 .	
Correctly printed: HB 265, HB 276, HB 401, HB 596, HB 630, HJR 34 .	
Correctly printed: HB 27, HB 205, HB 271, HB 304, HB 455, HB 524, HB 636 .	2/17/2007
Correctly enrolled: HB 121 .	
Signed by the Chief Clerk of the House at 1:45 a.m., February 19, 2007: HB 121, HB 333 .	
Signed by the Speaker at 1:50 a.m., February 19, 2007: HB 121, HB 333 .	
Signed by the President at 2:00 a.m., February 19, 2007: HB 121, HB 333 .	
Correctly printed: HB 531, HB 619, HB 640 .	

TRANSPORTATION (Sonju, Chairman):	2/19/2007
HB 175 , introduced bill, be amended as follows:	

1. Title, line 9.

Following: "DECLARATIONS;"

Insert: "REMOVING CERTAIN PROVISIONS REQUIRING THE USE OF GASOLINE BLENDED WITH ETHANOL;"

2. Title, line 11.

Strike: "82-15-121, 82-15-122,"

3. Title, line 12.

Following: "MCA;"

Insert: "REPEALING SECTIONS 82-15-121 AND 82-15-122, MCA;"

Strike: "AND TERMINATION DATES"

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4. Page 4, line 5 through line 8.

Strike: subsection (4) in its entirety

5. Page 13, line 27 through page 15, line 4.

Strike: sections 18 and 19 in their entirety

Renumber: subsequent sections

6. Page 16.

Following: line 10

Insert: "NEW SECTION. **Section 19. Repealer.** Sections 82-15-121 and 82-15-122, MCA, are repealed."

7. Page 16, line 14 through line 22.

Strike: section 22 in its entirety

And, as amended, do pass. Report adopted.

HB 176, do pass. Report adopted.

HB 332, introduced bill, be amended as follows:

1. Title, line 4.

Following: "LIMITS FOR" on line 4

Insert: "MOTORCYCLES AND"

2. Title, line 5.

Following: "REQUIRING" on line 5

Insert: "MOTORCYCLES AND"

3. Page 1, line 11.

Following: "--" on line 11

Insert: "motorcycle and"

4. Page 1, line 29.

Following: "from the"

Insert: "motorcycle's or"

And, as amended, do pass. Report adopted.

HB 531, do pass. Report adopted.

HB 556, introduced bill, be amended as follows:

1. Page 1, line 25.

Strike: "50,000"

Insert: "75,000"

2. Page 1, line 27.

Following: "(iii)"

Insert: "dyed"

Strike: "motorized"

Insert: "off-highway vehicles,"

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3. Page 1, line 29.

Strike: "verifies"

Insert: "certifies"

4. Page 1, line 30 through page 2, line 1.

Strike: "shall" on page 1, line 30

Insert: "may"

Following: "dyed special fuel" on line 30

Strike: remainder of line 30 through "period" on page 2, line 1

Insert: "in off-highway vehicles and internal combustion engines, including stationary engines, for the duration"

5. Page 2, line 2.

Following: "user"

Insert: "and the extension of the project"

6. Page 2, line 11.

Strike: "and"

7. Page 2, line 12.

Following: "project"

Insert: "; and

(d) all dyed special fuel reported in a return filed in accordance with the requirements of 15-70-325"

8. Page 2, lines 13 and 14.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

9. Page 2, line 27.

Following: line 26

Insert: "(8) A special fuel user that is issued a temporary permit under subsection (1) shall keep the following records:

(a) all dyed special fuel receipts for the project;

(b) the location of the fixed or mobile facility where the dyed special fuel is stored and withdrawn for the project;

(c) the date of any fuel disbursement;

(d) the number of gallons withdrawn;

(e) the beginning and ending meter readings or other means of determining the quantity of dyed special fuel withdrawn;

(f) the identification number, hour meter, or unit number of the off-highway vehicle, equipment, or internal combustion engine that the dyed special fuel was used in; and

(g) the purpose of the withdrawal if the fuel is withdrawn by the special fuel user for any other purpose."

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 567, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "REQUIRING"

Insert: "ALLOWING"

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2. Title, line 10.

Following: "AND"

Insert: "ALLOWING"

3. Title, line 11 through line 12.

Strike: "CONTRACT" on line 11 through "OF" on line 12

Insert: "REVIEW CRASH DATA IN"

Following: "EACH"

Insert: "HIGHWAY SAFETY"

4. Page 1, line 26.

Strike: "to"

Insert: "may"

5. Page 1, line 27.

Strike: "shall"

Insert: "may"

6. Page 1, line 29 through page 2, line 1.

Strike: subsections (2)(a) and (2)(b) in their entirety

7. Page 2, line 2.

Strike: "(c)"

Insert: "(2)"

8. Page 2, line 3.

Strike: "the annual study"

Insert: "a review"

9. Page 2, line 6.

Strike: "(a)"

10. Page 2, line 9 through line 12.

Strike: "during" on line 9 through "time" on line 12

11. Page 2, line 16.

Strike: "(2)(c)"

Insert: "(2)"

12. Page 2, line 23 through line 24.

Strike: the first "signs" on line 23 through "day" on line 24

Insert: "appropriate signs indicating the beginning of the highway safety corridor, stating that fines will be doubled, and encouraging use of headlights"

13. Page 2, line 25.

Strike: "signs" through "corridor.""

Insert: "appropriate signs designating the end of the highway safety corridor."

14. Page 2, line 26 through line 27.

Strike: "approximately" on line 26 through "enforced."" on line 27

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Insert: "appropriate locations."

15. Page 2, line 29.

Strike: "not" through "possible"

16. Page 3, line 5.

Strike: "shall"

Insert: "may"

Strike: "pursuant to [section 3]"

Insert: "by the department"

17. Page 3, line 9.

Strike: "shall"

Insert: "may"

18. Page 3, line 14.

Strike: "Annual review"

Insert: "Review"

19. Page 3, line 15 through line 16.

Strike: "contract" on line 15 through "review of" on line 16

Insert: "review"

20. Page 3, line 17.

Following: "crashes."

Insert: "The department may use department staff or contract with a qualified engineering firm to conduct the reviews."

21. Page 3, line 18 through line 20.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

22. Page 3, line 20 through line 21.

Strike: "publish" on line 20 through "as" on line 21

Insert: "use the reviews required under this section to determine if"

23. Page 3, line 23.

Following: "designation."

Insert: "The reviews must be made available to the public."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/19/2007

HB 619, do pass. Report adopted.

HB 640, do pass. Report adopted.

SB 15, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

2/19/2007

HB 564, introduced bill, be amended as follows:

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1. Title, line 4 through line 5.

Strike: "INCREASING" on line 4 through "TAXPAYERS;" on line 5

2. Title, line 6 through line 7.

Strike: "INCREASING" on line 6 through "TAXPAYERS;" on line 7

3. Title, line 8.

Following: "15-30-103"

Strike: ", "

Insert: "AND"

Strike: "AND 15-30-122,"

4. Page 2, line 12.

Following: "singly;"

Insert: ", "

Strike: "or"

Strike: "·"

Insert: ", or"

5. Page 2, line 13.

Strike: "(ii)" through "taxpayer"

Following: "married"

Insert: " as married"

Renumber: subsequent subsection

6. Page 2, line 14.

Strike: "\$11,000"

Insert: "\$10,000"

7. Page 5, line 5 through line 24.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/17/2007

SB 41, introduced by Elliott

SB 76, introduced by Gillan

SB 93, introduced by Pease

SB 102, introduced by Lind

SB 130, introduced by Story

SB 295, introduced by Tash

SB 299, introduced by Moss

SB 301, introduced by Moss

SB 341, introduced by Lewis

SB 363, introduced by Kaufmann

SB 403, introduced by Lind

SB 430, introduced by Elliott

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Senate joint resolution passed and transmitted to the House for concurrence: 2/17/2007
SJR 5, introduced by Brueggeman

House bill concurred in and returned to the House: 2/17/2007
HB 121, introduced by McChesney

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 771, introduced by L. Jones, referred to State Administration.

HB 772, introduced by K. Peterson, referred to Taxation.

HB 773, introduced by MacLaren, Lange, Parker, referred to Appropriations.

HB 774, introduced by Glaser, Larson, referred to Business and Labor.

HB 775, introduced by Jore, referred to Judiciary.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. The House reconvened at 1:05 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Beck in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 514 - Representative Lange moved consideration of **HB 514** be passed for the day. Motion carried.

HB 492 - Representative Lange moved consideration of **HB 492** be passed for the day. Motion carried.

HB 13 - Representative Sesso moved **HB 13** do pass.

HB 13 - Representative McChesney moved **HB 13**, second reading copy, be amended as follows:

1. Title, page 1, line 8, through page 1, line 9.

Strike: "PROHIBITING" on line 8 through "INCREASES;" on line 9

2. Title, page 1, line 15.

Strike: "17-7-102, 17-7-138, 17-7-139,"

3. Page 6, line 18 through line 20.

Strike: "THE" on line 18 through "APPRAISAL." on line 20

4. Page 8, line 9 through line 10.

Strike: "EACH" on line 9 through "DESCRIPTION." on line 10

5. Page 9, line 8 through line 12.

Strike: "SUBJECT" on line 8 through "AGENCIES." on line 12

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6. Page 9, line 23.

Strike: "--REPORT"

7. Page 12, line 14 through line 15.

Strike: subsection (7) in its entirety

8. Page 18, line 4 through page 22, line 15.

Strike: section 20 through section 22 in their entirety

Renumber: subsequent sections

9. Page 24, line 10 through line 11.

Strike: section 25 in its entirety

Renumber: subsequent sections

10. Page 24, line 22.

Strike: "\$5,318,049 \$8,390,636 \$11,907,367 \$18,074,387"

Insert: "\$6,295,995 \$9,732,127 \$14,945,346 \$22,195,176"

11. Page 24, line 25.

Strike: "\$12,841,375 \$8,603,925 \$29,002,402 \$18,542,155"

Insert: "\$13,819,321 \$9,945,416 \$32,040,381 \$22,662,944"

12. Page 25, line 26 through page 26, line 3.

Strike: line 26 through line 3 in their entirety

13. Page 26, line 7.

Strike: "27"

Insert: "23"

Strike: "29"

Insert: "25"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Barrett, Blasdel, Boggio, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Mendenhall, Morgan, Nooney, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 13 - The motion to pass **HB 13** as amended carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Beck, Blasdel, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Nooney, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 25

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 397 - Representative Glaser moved **HB 397** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Becker, Bixby, Campbell, Dickenson, Groesbeck, Hiner, Ingraham, Jayne, Jopek, Peterson, Rice, Small-Eastman, Sonju, Stahl, Stoker, Vincent.
Total 16

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 77 - Representative Clark moved **HB 77** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Everett, Hawk, Jore, Kasten, Koopman, Lambert, Mendenhall, Sonju, Wells, Mr. Speaker.

Total 10

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Jacobson.

Total 1

HB 157 - Representative Caferro moved **HB 157** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Klock, Koopman, Lake, McGillvray, Mendenhall, Nooney, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 29

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 439 - Representative Koopman moved **HB 439** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 450 - Representative Pomnichowski moved **HB 450** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Barrett, Boggio, Hendrick, Jore, Kasten, Koopman, Lake, Milburn, Sinrud, Wells, Mr. Speaker.

Total 11

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 459 - Representative Heinert moved **HB 459** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Driscoll, Furey, Musgrove, Windy Boy.

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Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Jayne, Lange.

Total 2

HB 464 - Representative Sales moved consideration of **HB 464** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 487 - Representative Hiner moved **HB 487** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Jore, Koopman, Mendenhall, Ripley, Sonju, Mr. Speaker.

Total 6

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 497 - Representative Pomnichowski moved **HB 497** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 94

Noes: Boggio, Butcher, Sonju, Witte, Mr. Speaker.

Total 5

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

HB 565 - Representative K. Peterson moved **HB 565** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 585 - Representative Keane moved **HB 585** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 69

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Koopman, Lake, Lambert, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Pomnichowski, Ripley, Sinrud, Sonju, Taylor, Villa, Vincent, Wells, Mr. Speaker.

Total 30

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: Parker.
Total 1

HB 594 - Representative Stahl moved **HB 594** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.
Total 77

Noes: Barrett, Boggio, Driscoll, Dutton, Erickson, Franklin, Gallik, Jayne, Jopek, Kasten, Kerns, McGillvray, Rice, Ripley, Sands, Sinrud, Taylor, Thomas, Van Dyk, Wells, Wilson, Witte, Mr. Speaker.
Total 23

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 616 - Representative McChesney moved **HB 616** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Franklin, French, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy.
Total 61

Noes: Becker, Boggio, Branae, Caferro, Cohenour, Dickenson, Dutton, Erickson, Everett, Furey, Gallik, Glaser, Hands, Hawk, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Ross, Sinrud, Stoker, Wells, Wiseman, Witte, Mr. Speaker.
Total 39

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Beck moved the Committee of the Whole report be adopted. Report adopted

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as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Becker, Jore, Koopman, Wells.

Total 4

Excused: Ward.

Total 1

Absent or not voting: Beck, Kasten, Sinrud.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 19 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Everett, Furey, Henry, Hilbert, Hiner, Jayne, Jore, Raser, Sonju.

Total 9

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 40 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, Morgan, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 59

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, O'Hara, Olson, Peterson, Ripley, Sinrud, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 39

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Bergren, Jopek.
Total 2

HB 198 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Everett, Hawk, Jore, Kasten, Kerns, Koopman, Mendenhall, Ripley, Ross, Sinrud, Wells, Mr. Speaker.
Total 12

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 214 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn,

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Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Boggio, Everett, Jore, Koopman, McGillvray.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 256 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 85

Noes: Augare, Becker, Bixby, Caferro, Callahan, Campbell, Cohenour, Erickson, Hands, Hilbert, Jopek, McAlpin, Noonan, Peterson, Wiseman.

Total 15

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 305 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 71

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Driscoll, Erickson, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jayne, McAlpin, Musgrove, Noonan, Parker, Peterson, Raser, Sands, Sesso, Van Dyk,

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Villa, Wilson.
Total 27

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Hendrick, Hilbert.
Total 2

HB 310 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Becker, Dickenson, Hamilton, Jayne, Sonju.
Total 5

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 389 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Campbell, Driscoll, Grinde, Keane, Noonan.
Total 5

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 427 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 92

Noes: Driscoll, Jore, Koopman, Stahl, Ward, Witte, Mr. Speaker.
Total 7

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

HB 467 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Franklin, Gallik, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.
Total 67

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Groesbeck, Hands, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McChesney, Noonan, Pomnichowski, Sands, Sesso, Small-Eastman, Wilmer, Wilson, Windy Boy.
Total 33

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 468 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Augare, Beck, Bergren, Butcher, Caferro, Callahan, Campbell, Driscoll, Everett, Furey, Gallik, Hamilton, Hawk, Jayne, Keane, Musgrove, Parker, Peterson, Raser, Reinhart, Ripley, Wilson, Windy Boy.

Total 23

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 496 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 521 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik,

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Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Callahan, Dickenson, Hiner, Jayne.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 522 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 523 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 633 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 84

Noes: Augare, Bergren, Butcher, Callahan, Campbell, Himmelberger, Jayne, Koopman, Musgrove, Peterson, Small-Eastman, Sonju, Stoker, Ward, Windy Boy, Witte.
Total 16

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Cohenour moved to reconsider action taken on **HB 554** and that the bill be placed back on second reading.

Representative Mendenhall moved to table the motion by Representative Cohenour to reconsider **HB 554**.

The motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 47

Noes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson.

Total 52

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

The motion to reconsideration the action on **HB 554** passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 47

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Tuesday, February 20, 2007. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
THIRTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 20, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Gallik. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Windy Boy and Representative Ward, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/19/2007
Correctly printed: **HB 176, HB 531, HB 619, HB 640, SB 15.** 2/19/2007
Correctly engrossed: **HB 175, HB 332, HB 556, HB 564, HB 567.**
Delivered to the Governor for approval at 9:35 a.m., February 20, 2007: **HB 121, HB 333.**

EDUCATION (Jore, Chairman): 2/20/2007
HB 478, introduced bill, be amended as follows:

1. Title, line 5.

Following: "DATE"

Insert: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 1, line 24.

Following: "tuition for"

Strike: remainder of line 24

Insert: "those students who are placed by the state in a transitional or emergency shelter as defined in the Stewart B. McKinney Homeless Assistance Act."

3. Page 1, line 29.

Insert: "NEW SECTION. **Section 3. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to tuition payments for attendance during the 2006 and 2007 school year."

And, as amended, do pass. Report adopted.

HB 525, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "DIVERSITY"

Insert: "TRANSPARENCY, AND ACCOUNTABILITY"

2. Page 1, line 14.

Strike: "findings"

Insert: "declarations"

Strike: "finds and"

3. Page 1, line 23.

Strike: "the immaturity of"

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4. Page 2, line 23.

Strike: "must"

Insert: "is intended to"

5. Page 3, line 13 through line 15.

Strike: "The" on line 13 through "website" on line 15

Insert: "It is recommended that each university unit post its report on its website and distribute copies to the members of the Montana legislature"

And, as amended, do pass. Report adopted.

HB 609, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "OR ALTERED"

2. Page 1, line 13.

Strike: "or alternation"

3. Page 1, line 17.

Strike: "or alteration"

4. Page 1, line 26.

Strike: "or altered"

And, as amended, do pass. Report adopted.

HJR 22, be adopted. Report adopted.

JUDICIARY (Rice, Chairman):

2/20/2007

HB 491, introduced bill, be amended as follows:

1. Title, line 4.

Strike: the second "A"

Insert: "CERTAIN"

Strike: "WITNESS"

Insert: "WITNESSES"

2. Page 1, line 14.

Strike: "be precluded from serving"

Insert: "serve"

3. Page 1, line 15.

Strike: "12"

Insert: ":

(a) 13

4. Page 1, line 16.

Following: "offense"

Insert: "; or"

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(b) up to 18 years of age or younger at the time that the individual is called as a witness in a criminal proceeding involving a sexual or violent offense and who is an individual with a developmental disability, as defined in 53-20-102"

5. Page 1, line 24.

Following: "prosecution" in two places

Insert: "or defense" in two places

6. Page 1, lines 27 and 28.

Strike: "least" on line 27 through "testify" on line 28

Insert: "the omnibus hearing"

7. Page 2, lines 2 and 3.

Strike: "[section 1] within 7 days of the filing of the motion"

Insert: "[section 2]"

8. Page 2, line 4.

Following: "prosecution"

Insert: ", if the prosecution made the motion pursuant to [section 2(1)], or the defense, if the defense made the motion pursuant to [section 2(1)],"

9. Page 2, line 5.

Strike: "2"

Insert: "4"

10. Page 2, line 23.

Following: "evidence"

Insert: "of statements by the child witness"

11. Page 2.

Following: line 29

Insert: "(6) In the case of a child witness, as defined in [section 1(2)(b)], who is more than 13 years of age, the court shall find, as a condition precedent to making an order pursuant to [section 4], that the child witness possesses a mental state of a child 13 years of age or younger."

12. Page 3, line 27.

Following: "."

Insert: "The court may consider an individual's interest in the outcome of the criminal proceeding in which the child will testify in deciding whether that individual may serve as an adult attendant."

And, as amended, do pass. Report adopted.

HB 597, introduced bill, be amended as follows:

1. Page 2, line 16.

Strike: "45-8-208"

Insert: "45-8-207"

And, as amended, do pass. Report adopted.

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HUMAN SERVICES (Stoker, Chairman):
HB 713, introduced bill, be amended as follows:

2/20/2007

1. Page 1, line 14.
Following: "counseling,"
Insert: "temporary"

2. Page 1, line 26.
Following: "counseling,"
Insert: "temporary"

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):
HB 405, introduced bill, be amended as follows:

2/20/2007

1. Title, line 10.
Following: "DATE"
Insert: "AND A RETROACTIVE APPLICABILITY DATE"

2. Page 2, line 14.
Following: "welfare"
Insert: "and those permitting requirements ensure that energy projects that are developed in Montana are clean energy projects"

3. Page 3.
Following: line 9
Insert: "(e) producing silane gas and polysilicon and any associated supporting infrastructure;"
Renumber: subsequent subsections

4. Page 3, line 14.
Strike: "of more than 69"
Insert: "equal to or greater than 50"

5. Page 3, line 25.
Following: "(c)"
Insert: "consistent with subsection (4),"

6. Page 4, line 3.
Insert: "(4) Prior to any judicial determination under subsection (1)(c), a clean energy development project sponsor shall:
 (a) consult with the local governmental entity that has adopted a local law or regulation that the project sponsor believes is unreasonably restrictive; and
 (b) make a good faith attempt to resolve any issues regarding whether the local law or regulation is unreasonably restrictive."

7. Page 4, line 4.
Strike: "of department decisions"

8. Page 4, line 15.

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Following: "fees"

Insert: ", damages,"

9. Page 4, line 23 through line 26.

Strike: subsection (5) in its entirety

10. Page 8, line 22.

Insert: "NEW SECTION. **Section 12. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to any application for a permit, license, certificate, or modification of a permit, license, or certificate that was submitted to the department of environmental quality and had not been granted or denied before [the effective date of this act]. For purposes of this section, a determination that an application is not complete is not a denial."

And, as amended, do pass. Report adopted.

HB 681, introduced bill, be amended as follows:

1. Title, line 5 through line 6.

Strike: "THE" on line 5 through "SUPPLIER"" on line 7

Insert: "TERMS"

2. Page 1, line 29.

Strike: "retail customers"

Insert: "small customers at retail rates"

3. Page 3.

Following: line 3

Insert: "(11) "Small customer" means a retail customer that has an individual load with an average monthly demand of less than 5,000 kilowatts."

Renumber: subsequent subsection

4. Page 4, line 19.

Strike: "electrical energy procured under"

And, as amended, do pass. Report adopted.

HB 688, do pass. Report adopted.

HB 689, do pass. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

2/20/2007

HJR 36, be adopted. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/19/2007

SB 118, introduced by Cobb

SB 162, introduced by Schmidt

SB 166, introduced by J. Tropila

SB 314, introduced by Steinbeisser

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SB 368, introduced by Lind
SB 369, introduced by Smith
SB 374, introduced by Cooney
SB 412, introduced by Brueggeman
SB 444, introduced by Wanzenried

Senate joint resolution passed and transmitted to the House for concurrence:
SJR 6, introduced by Schmidt
SJR 10, introduced by Brown

2/19/2007

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 776, introduced by Dutton, referred to Local Government.
HB 777, introduced by Butcher, referred to State Administration.
HB 778, introduced by Stahl, Himmelberger, referred to Taxation.
HB 779, introduced by Hands, referred to Business and Labor.
HB 780, introduced by Villa, Parker, McAlpin, Noonan, referred to Judiciary.
HB 781, introduced by Windy Boy, Juneau, Campbell, Augare, Bixby, Cordier, Jayne, Pease, Small-Eastman, Smith, referred to Judiciary.
HB 782, introduced by Caferro, referred to Human Services.
HB 783, introduced by Lake, referred to State Administration.
HB 784, introduced by Butcher, referred to Taxation.
HB 785, introduced by Lange, Gallik, referred to State Administration.
HB 786, introduced by Blasdel, referred to Transportation.
HB 787, introduced by Olson, referred to Taxation.
HB 788, introduced by Ankney, Olson, referred to Appropriations.
HB 789, introduced by Campbell, Jayne, Windy Boy, Noonan, Sands, Cordier, Phillips, Sesso, Jopek, referred to State Administration.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 42, introduced by Wilmer, Caferro, referred to State Administration.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 12:55 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 435 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker,

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Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Jayne.
Total 1

Excused: Ward.
Total 1

Absent or not voting: Blasdel, Mr. Speaker.
Total 2

HB 579 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ward.
Total 1

Absent or not voting: Blasdel.
Total 1

HB 77 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Everett, Hawk, Jore, Kasten, Koopman, Lambert, Sinrud, Sonju, Witte, Mr. Speaker.
Total 10

Excused: Ward.
Total 1

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Absent or not voting: Blasdel.
Total 1

HB 157 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, Mendenhall, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 25

Excused: Ward.
Total 1

Absent or not voting: Branae.
Total 1

HB 397 passed as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 81

Noes: Ankney, Becker, Bixby, Branae, Dickenson, Dutton, Groesbeck, Hiner, Ingraham, Jayne, Jopek, Olson, Peterson, Rice, Small-Eastman, Stoker, Vincent.
Total 17

Excused: Ward.
Total 1

Absent or not voting: Glaser.
Total 1

HB 450 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert,

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Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Beck, Boggio, Hendrick, Jore, Kasten, Koopman, Milburn, Sinrud, Wells, Mr. Speaker.

Total 10

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 459 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 80

Noes: Augare, Bixby, Branae, Driscoll, Erickson, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jopek, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Villa.

Total 19

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 487 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Beck, Everett, Jore, Koopman, Mendenhall, Sinrud, Sonju, Witte, Mr. Speaker.

Total 9

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Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 497 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 96

Noes: Boggio, Butcher, Witte.

Total 3

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 565 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 49

Noes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 585 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark,

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Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Wilmer, Windy Boy, Wiseman, Witte.

Total 71

Noes: Barrett, Beck, Blasdel, Boggio, Hawk, Hendrick, Hilbert, Himmelberger, Jayne, Jopek, Jore, Kasten, Koopman, Lake, Lambert, Mendenhall, Milburn, Morgan, Pomnichowski, Ripley, Sinrud, Sonju, Taylor, Villa, Vincent, Wells, Wilson, Mr. Speaker.

Total 28

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 594 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sesso, Small-Eastman, Stahl, Stoker, Villa, Vincent, Wilmer, Windy Boy.

Total 69

Noes: Barrett, Beck, Boggio, Driscoll, Dutton, Erickson, Everett, Franklin, Gallik, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sands, Sinrud, Sonju, Taylor, Thomas, Van Dyk, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 30

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 616 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Franklin, French, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy.

Total 64

Noes: Boggio, Caferro, Cohenour, Dickenson, Dutton, Erickson, Everett, Furey, Gallik, Glaser, Hands, Hawk, Hendrick, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren,

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McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Ross, Sinrud, Stoker, Wells, Wiseman, Witte, Mr. Speaker.
Total 35

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 514 - Representative Lange moved consideration of **HB 514** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 464 - Representative Lange moved consideration of **HB 464** be placed below **HJR 34** on the second reading board. Motion carried.

HB 439 - Representative Koopman moved **HB 439** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Malcolm, Ward, Ayes; Windy Boy, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 16 - Representative Ripley moved **HJR 16** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Callahan, Campbell, Clark,

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Cordier, Dickenson, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Van Dyk, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 65

Noes: Bergren, Bixby, Branae, Caferro, Cohenour, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McChesney, Noonan, Parker, Pomnichowski, Sands, Sesso, Taylor, Thomas, Wilmer, Wilson, Wiseman.

Total 33

Voted Absentee: Ward, Aye.

Excused: Malcolm, Windy Boy.

Total 2

Absent or not voting: None.

Total 0

HJR 26 - Representative Callahan moved **HJR 26** be adopted.

HJR 26 - Representative Callahan moved **HJR 26**, second reading copy, be amended as follows:

1. Page 1, line 11 through line 12.

Following: "that"

Strike: remainder of line 11 through the second "detainees" on line 12

Insert: "more than half of jail inmates and state prisoners have mental health problems, based on symptoms within the past 12 months"

2. Page 1, line 14.

Strike: "the vast majority"

Insert: "a number"

Strike: ", approximately 70%,"

3. Page 1, line 15.

Strike: "disorders, with 25% "

Insert: "health problems, some"

4. Page 2, line 1.

Following: "ISSUES IN THE"

Insert: "criminal and"

Strike: "SYSTEM"

Insert: "systems"

Amendment passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt,

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Total 78

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Dutton, Everett, Himmelberger, Jore, Kasten, Koopman, Malcolm, McGillvray, O'Hara, Peterson, Rice, Taylor, Witte.

Total 18

Voted Absentee: Malcolm, No.

Excused: Ward, Windy Boy.

Total 2

Absent or not voting: Beck, Sonju.

Total 2

HJR 26 - The motion to pass **HJR 26** as amended, be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Windy Boy, Aye; Malcolm, Ward, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 265 - Representative Ebinger moved **HB 265** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 78

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Noes: Beck, Blasdel, Dutton, Hawk, Heinert, Hendrick, Ingraham, Jore, Koopman, Lake, Malcolm, Mendenhall, Peterson, Rice, Sinrud, Sonju, Stahl, Taylor, Ward, Wells, Mr. Speaker.

Total 21

Voted Absentee: Windy Boy, Aye; Malcolm, Ward, Noes.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 304 - Representative Furey moved **HB 304** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Beck, Boggio, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Driscoll.

Total 1

HB 455 - Representative Stoker moved **HB 455** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Dickenson, Jayne.

Total 2

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

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Excused: None.
Total 0

Absent or not voting: Bergren.
Total 1

HB 456 - Representative McNutt moved **HB 456** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jayne.
Total 1

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 524 - Representative Hamilton moved **HB 524** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Glaser, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, Lange, McGillvray, Sinrud, Sonju, Wells, Mr. Speaker.
Total 14

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 596 - Representative Sands moved **HB 596** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 93

Noes: Boggio, Dutton, Kerns, Koopman, Wells, Witte, Mr. Speaker.

Total 7

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 623 - Representative Olson moved **HB 623** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Phillips.

Total 1

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 636 - Representative Bixby moved **HB 636** do pass.

HB 636 - Representative Bixby moved **HB 636**, second reading copy, be amended as follows:

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1. Page 3, line 6.

Strike: "(A)"

2. Page 3, lines 10 and 11.

Strike: subsection (B) in its entirety

Amendment passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, Morgan, Musgrove, Noonan, Nooney, Parker, Peterson, Phillips, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 59

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Cordier, Dutton, Everett, Hawk, Himmelberger, Hollenbaugh, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, O'Hara, Olson, Pomnichowski, Raser, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Malcolm, Ward, Noes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

HB 636 - The motion to pass **HB 636** as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 79

Noes: Boggio, Butcher, Dutton, Hawk, Hilbert, Himmelberger, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Nooney, Olson, Ripley, Ross, Stoker, Taylor, Thomas.

Total 21

Voted Absentee: Ward, Windy Boy, Ayes; Malcolm, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HJR 34 - Representative Van Dyk moved **HJR 34** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Blasdel, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 18

Voted Absentee: Ward, Windy Boy, Ayes; Malcolm, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 464 - Representative K. Peterson moved **HB 464** do pass.

HB 464 - Representative Mendenhall moved **HB 464**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Klock, Koopman, Lake, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 38

Noes: Ankney, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kerns, Kottel, Lambert, McAlpin, McChesney, Morgan, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 59

Voted Absentee: Windy Boy, No.

Excused: Malcolm, Ward.

Total 2

Absent or not voting: Milburn.

Total 1

HB 464 - The motion to pass **HB 464** carried as follows:

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Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hamilton, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, McGillvray, McNutt, Mendenhall, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Ward, Witte, Mr. Speaker.

Total 35

Voted Absentee: Malcolm, Windy Boy, Ayes; Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 452 - Representative Kottel moved **HB 452** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 90

Noes: Boggio, Everett, Jore, Kasten, Mendenhall, Wells, Mr. Speaker.

Total 7

Voted Absentee: Malcolm, Ward, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: Gallik, Milburn.

Total 2

HB 271 - Representative McNutt moved **HB 271** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Voted Absentee: Malcolm, Ward, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 392 - Representative Bergren moved **HB 392** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Noes: Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 39

Voted Absentee: Windy Boy, Aye; Malcolm, Ward, Noes.

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

HB 330 - Representative Bergren moved **HB 330** do pass.

HB 330 - Representative Olson moved **HB 330**, second reading copy, be amended as follows:

1. Page 10, line 3.

Strike: "INTEGRATING"

Insert: "operated by investor-owned utilities that supply distributions services in Montana to integrate"

Strike: "MONTANA"

Insert: "those control areas"

Amendment passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 93

Noes: Hawk, Jore, Lange, Malcolm, Mr. Speaker.

Total 5

Voted Absentee: Ward, Aye; Malcolm, No.

Excused: Windy Boy.

Total 1

Absent or not voting: Milburn.

Total 1

HB 330 - The motion to pass **HB 330** as amended carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Blasdel, Butcher, Clark, Driscoll, Everett, Glaser, Hawk, Himmelberger, Jore, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Ripley, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Ward, Windy Boy, Ayes; Malcolm, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 276 - Representative McNutt moved **HB 276** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 59

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Small-Eastman, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.

Total 40

Voted Absentee: Malcolm, Ward, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

HB 554 - Representative Cohenour moved **HB 554** do pass. Motion carried as follows:

Ayes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Everett, Glaser, Groesbeck, Hawk, Heinert, Himmelberger, Ingraham, Jayne, Jopek, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 48

Voted Absentee: Malcolm, Aye; Ward, Windy Boy, Noes.

Excused: None.

Total 0

Absent or not voting: Hilbert, Jore.

Total 2

HB 514 - Representative Caferro moved **HB 514** do pass.

HB 514 - Representative Caferro moved **HB 514**, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "RECEIVING COMMUNITY SERVICES OR IS"

2. Page 1, line 26.

Following: "A"

Insert: "youth"

Following: the second "HOME"

Insert: ", as those terms are defined in 52-2-602, and the perpetrator:

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(A) has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and
(B) is an employee, contractor, or volunteer of the community-based service, youth foster home, or youth group home"

3. Page 2, line 7.

Strike: "Subsection"

Insert: "Subsections"

Strike: "does"

Insert: "and (1)(b)(vii) do"

4. Page 2, line 8.

Strike: "the second "or"

Insert: ", "

Following: "services"

Insert: ", or is a resident of a youth foster home or a youth group home"

5. Page 2, line 9.

Strike: the second "or"

Insert: ", "

Following: "service"

Insert: ", or home"

6. Page 2, line 27.

Strike: "or"

Following: line 27

Insert: "(iii) receiving community services or is in a youth foster home or a youth group home, as those terms are defined in 52-2-602, and the perpetrator:

(A) has supervisory or disciplinary authority over the victim or is providing treatment to the victim; and

(B) is an employee, contractor, or volunteer of the youth foster home, youth group home, or community-based service; or"

Renumber: subsequent subsection

7. Page 3, line 3.

Strike: "Subsection"

Insert: "Subsections"

Strike: "does"

Insert: "and (5)(a)(iv) do"

8. Page 3, line 4.

Strike: the second "or" on line 4

Insert: ", "

Following: "services"

Insert: ", or is a resident of a youth foster home or youth group home"

9. Page 3, line 5.

Strike: "the second "or"

Insert: ", "

Following: "service"

Insert: ", or home"

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Amendment passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: None.

Total 0

Voted Absentee: Malcolm, Aye.

Excused: Ward, Windy Boy.

Total 2

Absent or not voting: Heinert, Ross.

Total 2

HB 514 - Motion to pass **HB 514** as amended carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Malcolm, Ward, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.

Total 84

Noes: Everett, Himmelberger, Jayne, Jore, Lange, Mendenhall, Rice, Ripley, Wells, Witte.

Total 10

Excused: Malcolm, Ward, Windy Boy.

Total 3

Absent or not voting: Hilbert, Sinrud, Mr. Speaker.

Total 3

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Himmelberger, Chairman):

2/20/2007

HB 664, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/20/2007

HB 270, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "\$400"

Insert: "\$200"

2. Page 1, line 23.

Strike: "return"

Insert: "form"

3. Page 1, line 24.

Strike: "\$800"

Insert: "\$400"

4. Page 1, line 25.

Strike: "\$900"

Insert: "\$450"

5. Page 1, line 26.

Strike: "\$1,000"

Insert: "\$500"

6. Page 1, line 28.

Strike: "\$800"

Insert: "\$400"

7. Page 1, line 29.

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Strike: "\$900"

Insert: "\$450"

8. Page 1, line 30.

Strike: "\$1,000"

Insert: "\$500"

9. Page 2, line 1.

Strike: "subsections"

Insert: "subsection"

Strike: "and (3)(c)"

10. Page 2, line 2.

Strike: "\$30,000"

Insert: "\$25,000"

11. Page 2, line 3 through line 5.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

12. Page 2, line 6.

Strike: "exceeds \$50,000"

Insert: "is equal to or greater than \$35,000"

13. Page 2, line 8.

Strike: "subsections"

Insert: "subsection"

Strike: "through (4)(e)"

14. Page 2, line 9.

Strike: "return"

Insert: "form"

15. Page 2, line 10.

Strike: "\$40,000"

Insert: "\$50,000"

16. Page 2, line 11 through line 19.

Strike: subsections (b) through (d) in their entirety

Renumber: subsequent subsection

17. Page 2, line 20.

Strike: "exceeds"

Insert: "is equal to or greater than"

18. Page 2, line 22.

Strike: "subsections"

Insert: "subsection"

Strike: "through (5)(e)"

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19. Page 2, line 23.

Strike: "\$40,000"

Insert: "\$50,000"

20. Page 2, line 24 through page 3, line 5.

Strike: subsections (b) through (d) in their entirety

Renumber: subsequent subsection

21. Page 3, line 6.

Strike: "exceeds"

Insert: "is equal to or greater than"

22. Page 3, line 19.

Strike: "--"

23. Page 3, line 20.

Strike: "pass-through entities"

Strike: "(1)"

24. Page 3, line 23 through line 25.

Strike: subsection (2) in its entirety

25. Page 4, line 2.

Following: "and"

Insert: ", except as provided in subsection (3),"

26. Page 4, line 7.

Following: "(2)"

Insert: "(a)"

Strike: "subsection"

Insert: "subsections"

Following: "(4)"

Insert: ", (5), and (6)"

27. Page 4, line 9.

Strike: "(a)"

Insert: "(i)"

Strike: the first "month"

Insert: "year"

Strike: the second "month"

Insert: "year"

Renumber: subsequent subsection

28. Page 4, line 11.

Strike: "month"

Insert: "year"

29. Page 4, line 12.

Strike: "two"

Insert: "four"

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30. Page 4.

Following: line 13

Insert: "(b) The credit allowed under this subsection (2) may not be claimed for more than 2 consecutive years.

(3) Subject to subsections (4), (5), and (6), an employer who has paid health insurance premiums for employees during the 2 tax years immediately preceding the tax year for which a claim for the credit is made under this section may claim a tax credit in the following amounts:

(a) not more than \$50 each year for each employee and \$50 each year for each employee's spouse, if the employer covers the employee's spouse; and

(b) not more than \$20 each year for each dependent, other than the employee's spouse, if the employer is paying for the dependents, not to exceed four dependents of an employee in addition to the employee's spouse."

Renumber: subsequent subsections

31. Page 5.

Following: line 2

Insert: "(9) If the credit allowed under this section is claimed by a small business corporation, as defined in 15-30-1101, a pass-through entity, or a partnership, the credit must be attributed to shareholders, owners, or partners using the same proportion as used to report the entity's income or loss."

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved that **HB 304** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 452** be rereferred to the Committee on Appropriations. There being an objection, the motion was withdrawn.

Majority Leader Lange moved that **HB 392** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 330** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 554** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

UNFINISHED BUSINESS

HJR 36, introduced by Lambert, the following sponsor was added:
Representative Small-Eastman.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Wednesday, February 21, 2007. Motion carried.

House adjourned at 3:24 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 21, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Vincent. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Ward who was excused. Quorum present.

UNFINISHED BUSINESS

HB 668, introduced by Stahl, the following sponsors were added:

Reps. Arntzen, Augare, Boggio, Dutton, Furey, Heinert, L. Jones, Keane, Klock, Mendenhall, Milburn, Reinhart, Thomas, Van Dyk and Windy Boy.

HB 755, introduced by Keane, the following sponsors were added:

Reps. Arntzen, Augare, Boggio, Dutton, Furey, Heinert, L. Jones, Klock, Mendenhall, Milburn, Reinhart, Stahl, Thomas, Van Dyk and Windy Boy.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-fourth, thirty-fifth, thirty-sixth, and thirty-seventh legislative days, find the same to be correct.

L. Jones, Chair

Representative Jacobson introduced Mr. Dan D'Autremount, Member of Legislative Assembly for Cannington, Saskatchewan Party, Canada.

Representative Stahl introduced MLA Len Taylor, Minister of Health, Saskatchewan, Canada.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

2/20/2007

Correctly printed: **HB 664, HB 688, HB 689, HJR 22, HJR 36.**

Correctly engrossed: **HB 270, HB 405, HB 478, HB 491, HB 525, HB 597, HB 609, HB 681, HB 713.**

Correctly engrossed: **HB 590, HB 657, HB 665, HB 741.**

2/21/2007

JUDICIARY (Rice, Chairman):

2/21/2007

HB 590, introduced bill, be amended as follows:

1. Page 4, lines 19 through 21.

Strike: "An area" on line 19 through "year." on line 21

And, as amended, do pass. Report adopted.

HB 624, do pass. Report adopted.

HB 641, do pass. Report adopted.

HB 657, introduced bill, be amended as follows:

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1. Page 1, line 14.

Strike: "commencement"

Insert: "service"

Following: the second "of"

Insert: "a complaint in"

2. Page 1, line 29.

Strike: "commencement"

Insert: "service"

Following: "of"

Insert: "a complaint in"

And, as amended, do pass. Report adopted.

HB 712, do pass. Report adopted.

HJR 25, be adopted. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/21/2007

HB 665, introduced bill, be amended as follows:

1. Page 4, line 10 through line 11.

Strike: "athletic" on line 10 through "training" on line 11.

Insert: "on an athlete"

2. Page 4, line 20.

Strike: "."

Insert: "; or"

3. Page 4, following line 20.

Insert: "(f) a massage therapist from providing massage."

And, as amended, do pass. Report adopted.

HB 724, do pass. Report adopted.

HB 741, introduced bill, be amended as follows:

1. Title, line 7.

Following: "CONTRACTS;"

Insert: "AND"

2. Title, line 7 through line 8.

Strike: "; AND" on line 7 through "DATE" on line 8

3. Page 3, line 23.

Strike: section 5 in its entirety

And, as amended, do pass. Report adopted.

HB 755, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/20/2007

SB 51, introduced by Hawks
SB 100, introduced by Jent
SB 110, introduced by Laible
SB 128, introduced by Laslovich
SB 140, introduced by Weinberg
SB 147, introduced by Shockley
SB 206, introduced by Cobb
SB 276, introduced by Steinbeisser
SB 434, introduced by Cocchiarella
SB 446, introduced by Perry

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 790, introduced by L. Jones, Keane, referred to Business and Labor.
HB 791, introduced by Kasten, referred to Appropriations.
HB 792, introduced by Himmelberger, Balyeat, referred to State Administration.
HB 793, introduced by Wells, Koopman, Butcher, referred to Taxation.
HB 794, introduced by Parker, Wilmer, Pomnichowski, referred to Appropriations.
HB 795, introduced by Hands, Reinhart, referred to Natural Resources.
HB 796, introduced by Koopman, referred to Education.
HB 797, introduced by Ankney, Groesbeck, referred to State Administration.
HB 798, introduced by Lambert, Small-Eastman, Pease, Kasten, Bales, Stahl, Ankney, Gebhardt, Smith, Kitzenberg, J. Peterson, Olson, McNutt, Perry, Ripley, Cocchiarella, Harrington, Hilbert, Campbell, Villa, Lake, Cohenour, Larson, Reinhart, referred to Appropriations.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 43, introduced by Rice, referred to Judiciary.
HJR 44, introduced by Gallik, Cooney, Kaufmann, Lind, Campbell, Parker, Noonan, Ryan, Harrington, Williams, Groesbeck, Ankney, Cobb, Kottel, Dickenson, Henry, Bixby, Caferro, J. Tropila, Gallus, Bergren, Hollenbaugh, Driscoll, W. Jones, Jopek, Wanzenried, Larson, Raser, Wilson, Sands, Weinberg, Kitzenberg, Villa, Hands, Wilmer, McChesney, Hamilton, referred to Human Services.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 13 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilson, Windy Boy, Wiseman, Witte.

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Total 79

Noes: Blasdel, Everett, Hawk, Himmelberger, Ingraham, Kasten, Kerns, Koopman, Lake, Rice, Ross, Sonju, Taylor, Wells, Mr. Speaker.

Total 15

Excused: Ward.

Total 1

Absent or not voting: Augare, Jore, Sinrud, Stahl, Wilmer.

Total 5

HB 265 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Barrett, Beck, Blasdel, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Ingraham, Kasten, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Excused: Ward.

Total 1

Absent or not voting: Jore, Stahl, Wilmer.

Total 3

HB 271 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 44

Excused: Ward.

Total 1

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Absent or not voting: Jore.
Total 1

HB 276 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Wells, Witte, Mr. Speaker.
Total 59

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.
Total 39

Excused: Ward.
Total 1

Absent or not voting: Jore.
Total 1

HB 439 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 452 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Koopman,

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Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Boggio, Jore, Kasten, Mendenhall, Wells, Mr. Speaker.

Total 6

Excused: Ward.

Total 1

Absent or not voting: Keane.

Total 1

HB 455 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Dickenson, Jayne.

Total 2

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 456 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

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Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 464 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Witte.
Total 75

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Himmelberger, Ingraham, Kasten, Kerns, Klock, Koopman, Lake, McGillvray, Mendenhall, O'Hara, Olson, Rice, Ripley, Ross, Taylor, Windy Boy, Mr. Speaker.
Total 24

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 524 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Glaser, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lange, McGillvray, Mendenhall, Sinrud, Sonju, Vincent, Wells, Witte, Mr. Speaker.
Total 16

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 596 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Boggio, Dutton, Everett, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Sinrud, Sonju, Wells, Mr. Speaker.
Total 13

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 623 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Ward.
Total 1

Absent or not voting: Klock.
Total 1

HJR 16 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Boggio, Butcher, Callahan, Campbell, Clark, Cordier, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 63

Noes: Bergren, Bixby, Blasdel, Branae, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, McChesney,

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Noonan, Parker, Phillips, Pomnichowski, Sands, Sesso, Small-Eastman, Taylor, Wilson, Wiseman.
Total 35

Excused: Ward.
Total 1

Absent or not voting: Kottel.
Total 1

HJR 34 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Clark, Everett, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 17

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Sergeant-at Arms Clark notified Mr. Speaker that the Honorable Senate of the State of Montana awaits outside the Chamber.

Speaker Sales requested Sergeant-at-Arms Clark to admit the Honorable Senate into the House Chamber.

Speaker Sales introduced Senate President Cooney and yielded the chair to him.

Senate Majority Leader Williams moved that the body resolve itself into a joint session for the purpose of receiving the address from Montana's Senator, the Honorable Max Baucus. Motion carried.

Senate Majority Leader Williams moved Senate President Cooney be authorized to appoint a committee of four to notify Senator Baucus that the body was in joint session and ready to receive his address. Motion carried.

Senate President Cooney appointed Senator Squires, Senator Barkus, Representative Caferro and Representative McNutt to escort Senator Baucus into the chamber.

The committee escorted Senator Baucus into the chamber.

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The Invocation was given by Father Jerry Lowney, Senate Chaplain. Pledge of Allegiance to the Flag.

Senate President Cooney introduced Senator Baucus to the joint session. Senator Baucus gave the following speech:

**Remarks to the 60th Montana Legislative Assembly
February 21, 2007**

Good afternoon. Mr. Speaker. Mr. President. Members of the House and Senate. Visitors joining us in the gallery. Distinguished guests: Lt. Governor Bohlinger, State Auditor John Morrison, Superintendent Linda McCullough, Secretary of State Brad Johnson, Attorney General Mike McGrath, Members of the Supreme Court.

Working together

Thanks for inviting me to speak today. I appreciate you taking time out of your busy calendar. I know you have a lot of work getting ready for transmittal. As author Sam Ewing once said, "Hard work spotlights the character of people: some turn up their sleeves, some turn up their noses, and some don't turn up at all."

Montana's history has been the story of courageous, gutsy men and women who forged ahead. Men and women with calloused hands, sturdy backs, and fortitude passed down from generation to generation. Whether it's the miners who built the biggest copper mine in the country. Janette Rankin -- the first woman to get elected to the US Congress. Railroaders who built lines across our state. Farmers and ranchers. Or even Evel Knievel, who wanted to make the longest jump in the world.

Our values were chiseled out of the bedrock of Montana. We learned them from our parents, who learned them from their parents. Values of hard work, honesty, common sense, faith, and community. We don't shy away from challenges or hard work. We come from good, Montana stock. And we're proud of it.

Every time I come back to the legislature, I remember hard work. Good, solid hard work. Working breakfasts. Packed committee hearings.

I represented Missoula. I sat next to Doc Norman. I remember the heated debates. Nobody pulled punches. I remember the long nights. The early meetings. The weekends. I remember the debates. I remember trying to fit it all into 90 days. I'm glad to see that Representative Jopek is still making good use of my desk! Thanks, Mike. Let's give Mike a big hand!

I was here in 1973. I don't think Kendall Van Dyk was even born yet! Kendall's doing a great job.

That was also back when my friend Hal Harper was serving in the House --- as a Republican! I remember the people I worked with. People I admired. Giants like Francis Bardanouve and Verner Berterlson. We had our challenges back then just as you do today.

But it was in this Chamber that I learned the value of working together. It was here -- during the 43rd Legislative Assembly -- where I learned that partisanship doesn't serve the noble purpose of legislating.

I learned that digging in your heels and fighting with each other doesn't help make Montanans' lives any better. Remember, nothing of consequence ever happens unless people work together. A partisan victory never lasts...a compromise is more durable.

When I was here, Democrats held a slight majority in both chambers. But we had to work together. Now, 30 years later, I'm still working together to get things done.

When I think about what it means to work together, I look no further than Mike Mansfield. Our Mike. My friend

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and mentor. He was the man who served with presidents and foreign dignitaries. He led the country as the longest serving Senate Majority Leader -- during some tumultuous times, I might add.

But Mike never forgot his roots or the people he represented. He said to me once, "Max, we represent all of Montana -- Democrats and Republicans. We represent everybody." He made a point of telling me that. And it stuck with me.

I'm reminded of that conversation by an old northwest Montana newspaper story.

They characterized Mike during his first year in the Senate this way:

"His philosophy (the newspaper wrote) is that he is a Democrat, yes, but first he is a U.S. Senator. He is sometimes liberal, sometimes conservative. But uppermost in his mind is this thought: What is best for the people? Mike Mansfield is an individualist (the newspaper wrote) but he will work with anyone and everyone when he feels the net result will produce something beneficial to the nation and Montana." End quote.

Let's work hard, like Montanans do. But let's also look to Mike's example and work together.

IRAQ

Before I continue I want to take a moment to recognize the contribution Montana has made to the war in Iraq and Afghanistan. We may not all agree on the best course of action in Iraq. But we all agree on one thing: it's time for the government of Iraq to stand on its own. And it's time for our Montana men and women to come home as soon as possible.

Seventeen Montanans have died over there. They were sons. And fathers. And brothers. And husbands. They served their country admirably.

Please stand up. Stand with me and recognize the Montanans who have paid the ultimate sacrifice.

Travis Arndt, age 23, Bozeman
Phillip Baucus, age 28, Wolf Creek
Andrew Bedard, age 19, Missoula
Nicholas William Bloem, age 20, Belgrade
Scott Dykman, age 27, Helena
Aaron Holleyman, age 26, Glasgow
Joshua Hyland, age 31, Missoula
Charles Komppa, age 35, Belgrade
Michael MacKinnon, age 30, Helena
Robbie McNary, age 42, Lewistown
Dean Pratt, age 22, Stevensville
Edward Saltz, age 27, Bigfork
Jeremy Sandvick Monroe, age 20, Chinook
Raleigh Smith, age 21, Troy
Kristofer Stonesifer, age 28, Missoula
Owen Witt, age 20, Sand Springs
Matthew Zeimer, age 18, Glendive

Thank you. We honor all of these brave Montanans.

CHIP

The war in Iraq clearly is one of the most pressing issues facing our country. But the main thing that I want to talk to you about today is on the domestic front. It's health care.

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Everywhere I go – from the café in Miles City to the lumber mill in Western Montana -- I hear the same thing. It's health care. It's the high cost of health care. I could be talking about the Farm Bill on the Hi-Line and health care comes up.

And it's not just in Montana. I hear it all over the country.

I hear stories from people who are barely squeaking by – month to month – because so much of their income goes to health care. And it's not just the single mother working two jobs. It's small business owners. And teachers. Farmers. And the elderly. It's everybody. We clearly have to do something.

We won't fix our nation's health care system overnight. It's just too big of a bite to take at once. But we *can* begin to chip away at the problem piece by piece.

Ultimately, this nation is going to have to have universal health care.

That is health care for everyone. We're the only industrialized nation without universal health care. South Africa has it. We don't. It's not right.

As we begin to tackle this problem there's no better place to start than with our kids.

As parents, we can usually make our kids feel better with some ice cream, a few good movies, and a big hug. Yet, sometimes Disney and Ben & Jerry's aren't enough to help when they're sick. As a parent, I know the heartache and worry that goes along with seeing your child sick and hurting.

I applaud Governor Schweitzer for his strong leadership and vision on health care.

I applaud the legislature -- you all -- and the people of Montana for making tough choices and sacrifices.

We thank Auditor Morrison and my friend Senator Jon Tester for the Insure Montana program. It has helped put more affordable health insurance within reach for hundreds of Montana families, small business owners and their workers. And it's only just getting started.

I also applaud Senator John Cobb and Representative Edith Clark for their vision on health care. That's the kind of working together we need.

But the most important thing that we can do – right away -- is help our kids. That's why we must renew and expand the Children's Health Insurance Program, so that more kids can get coverage.

Why is CHIP so important? Think for a minute about people who can barely afford to heat their homes or feed their kids – let alone pay for health care. That's what CHIP does for them. It makes sure their kids – at least their kids – get coverage.

I'm reminded about a young woman in Helena. Single mom. Her son was diagnosed with epilepsy -- shortly after he lost his private insurance coverage. Other plans wouldn't cover the expensive drugs he needed.

She learned about CHIP. Got him enrolled. Now he's getting the medical care and drugs he needs. I don't know what they would have done without CHIP. I honestly don't know what they would have done.

Folks, it's a real program serving real people who need real help. But despite our best efforts, 37,000 Montana kids don't have any health insurance at all. That means 37,000 Montana families are teetering on the edge. One bike accident. A fall down the stairs. An injury on the basketball court could drive them into bankruptcy. Or

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worse. That's just wrong.

Those are decisions no Montanan should have to face. What's more, these numbers are rising. Over the last 5 years, the number of uninsured Montana kids has spiked 10 percent. And most of that jump came from young kids – 5 years old or younger.

Remember that the first 5 years of a child's life establish a blueprint for that child's future. Missing the yearly doctor's appointment or going without shots can dramatically affect the building blocks to a child's development.

CHIP also makes sense as an investment. Studies show that kids who are healthy growing up do better in life. It's really pretty simple:

1. A child who's healthy can go to school.
2. A child who's healthy in school is more likely to do well.
3. A child who does well in school is more likely to get a job.
4. And people with jobs are less likely to end up in jail or on public assistance.

Those shots, that physical, treating that little boy's epilepsy will pay dividends to society. CHIP is a good health care program, yes, but it's also a solid investment.

A Little History

Here's a little history for you. I was very proud to help write the CHIP program in 1997. I remember working long hours with both Republicans and Democrats. I remember thinking to myself that this is really neat. It's something very special. Important. I can say passing CHIP was one of my proudest accomplishments in Congress – ever. Since then, CHIP has become the most successful children's health program in history. It now provides coverage to more than 6 million American kids.

After the President signed the CHIP bill into law in August 1997, it was time for the states to decide whether or not to join the program.

That's when I came here to Helena personally to lobby for it. I made the pitch. And you did the right thing and passed it. That was 10 years ago. Since then, nearly 40,000 Montana kids have been helped by CHIP.

1. 40,000 kids with names like Beth, Johnny, Paul, Cindy, and Ben.
2. 40,000 kids who got shots and prescriptions and surgeries.
3. 40,000 kids – some of whom might be the next State Senator from Eureka or Representative from Laurel.

It's been a huge success in Montana. Now the CHIP program needs to be renewed before it expires on September 30th of this year.

And, as you may know, I recently became Chairman of the Senate Finance Committee, which is a really big deal for Montana. We have jurisdiction over most health care programs, all taxes and revenue, Social Security, and international trade.

We also have jurisdiction over CHIP.

As Chairman, I get to set the agenda. And I've made renewing and expanding CHIP my top health care priority for this year. It's Number 1. We will pass a CHIP bill THIS year. You can take it to the bank.

Let's Make A Deal

And that's why I'm back here today. Because I want to make a deal with you. And here it is: I'll expand CHIP in Washington, if you expand CHIP in Helena. That's the deal. I'll do my part in Washington. You do your part

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here in Helena.

As for my part, I'll use my chairmanship to get Montana more federal dollars to run the program and cover more kids. I'm asking you to do your part and expand eligibility. I know Montana has been working to expand Medicaid and increase the number of children eligible for CHIP. Thank all of you who've been involved in that effort. It's very important. Unfortunately, we still rank second-to-last in the nation in CHIP eligibility. We're at 150 percent of the poverty level.

We are second in the nation only to North Dakota. That's not like us. We're Montanans.

Finishing 49th in a 50-state marathon is not your way, not my way, not the Montana way. It's contrary to our can-do Montana spirit and the values our parents taught us. Did you know that more than half the states now provide CHIP to children up to 200 percent of the poverty level? Did you know that nearly a third of states cover children at even higher eligibility rates?

Consider this. At 200 percent of the poverty level, a family of three is making about \$34,000 a year. But family health insurance can cost \$12,000 a year or more. That's nearly a third of a family's income -- before taxes. It's foolhardy to expect them to afford *that* much for health care.

Here in the Senate, Senator Weinberg's bill raises Montana's eligibility level. And I know Representative Caferro has been working on CHIP in the House. I commend both of them for their hard work.

I'm also proud to be one of the first people to congratulate the Senate for expanding CHIP. Just moments ago they passed Senator Weinberg's bill on 3rd reading.

Now the House will have the chance to take up CHIP. I urge you to do that. Do it as soon as you can.

So that's my deal. I'll provide dollars in Washington, if you expand CHIP here at home.

Look. I served here, so I know you don't like to be told what to do. That's not what I'm doing. I'm asking you. I'm asking you to make a deal with me.

Call it a 'fair deal.' Call it a 'square deal.' Call it whatever you like. But let's expand CHIP so Montana parents don't have to lay awake at night worrying about their kids.

Let's rise above partisanship. Let's heed the example of Mike Mansfield and do what's right.

I think Governor Schweitzer said it best. He said, quote: "We're not blue, we're not red, we're not purple. We're Montanans."

And remember what the Gospel of Luke tells us: "To whom much has been given, much is expected."

We've been given an awful lot. Now it's time to lead. That's what our employers want. We're just the employees. We're just the hired hands. It's not about who gets the credit or the blame. It's not about the headlines. It's about representing our 900,000 bosses. It's time to reach across the partisan divide, work together, honor our Montana heritage, and carry the mantle of a bright future for our kids.

Do that, and Montana will thank you.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wells in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 491 - Representative Lange moved consideration of **HB 491** be placed at the bottom of the second reading board. Motion carried.

HB 619 - Representative Lange moved consideration of **HB 619** be placed at the bottom of the second reading board. Motion carried.

HB 175 - Representative Bergren moved **HB 175** do pass.

HB 175 - Representative Bergren moved **HB 175**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 175 - The motion to pass **HB 175** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker,

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Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Boggio, Butcher, Clark, Dickenson, Erickson, Gallik, Himmelberger, Jore, Kasten, Kerns, Koopman, Mendenhall, Morgan, Peterson, Rice.
Total 15

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 492 - Representative Himmelberger moved **HB 492** do pass.

HB 492 - Representative Morgan moved **HB 492**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Bergren, Campbell, Hendrick, Hiner, W. Jones, Lambert, Malcolm, McChesney, Morgan, Stahl, Villa, Windy Boy.
Total 12

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 87

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Witte.
Total 1

HB 492 - The motion to pass **HB 492** **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr.

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Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 597 - Representative Stoker moved **HB 597** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cordier, Dutton, Everett, Franklin, Furey, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.
Total 66

Noes: Bergren, Bixby, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, French, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Villa, Wilmer, Windy Boy, Wiseman.
Total 34

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 176 - Representative Wilmer moved **HB 176** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson,

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Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Sinrud.
Total 1

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 332 - Representative Thomas moved **HB 332** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 85

Noes: Barrett, Boggio, Everett, Hendrick, Ingraham, Jore, Kasten, Koopman, Lake, Mendenhall, Rice, Ripley, Vincent, Witte.
Total 14

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Olson.
Total 1

HB 531 - Representative Lambert moved **HB 531** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Arntzen, Barrett, Boggio, Butcher, Everett, Hawk, Heinert, Himmelberger, Kasten, Lake, McGillvray, Mendenhall, Ripley, Witte, Mr. Speaker.

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Total 15

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Rice.

Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wells moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Blasdel, Everett, Gallik, Mendenhall, Ripley, Witte.

Total 6

Excused: Ward.

Total 1

Absent or not voting: Furey, Hawk, Himmelberger, Jopek, Rice, Sinrud, Wells.

Total 7

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House stand in recess until 5:00 p.m., Wednesday, February 21, 2007. Motion carried.

House recessed at 3:00 p.m.

House reconvened at 5:03 p.m. Speaker in the chair.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Butcher, Chairman):

2/21/2007

HB 400, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BOARD;"

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Insert: "PROVIDING THAT THE APPOINTMENT IS SUBJECT TO APPROVAL OF THE CITY-COUNTY PLANNING BOARD;"

2. Page 1, line 26.

Following: "supervisors"

Insert: ", subject to approval of the members provided for in subsections (1)(a) through (1)(d)"

And, as amended, do pass. Report adopted.

HB 537, introduced bill, be amended as follows:

1. Page 2, line 23.

Strike: "\$80"

Insert: "\$50"

2. Page 2, line 24.

Strike: "\$112"

Insert: "\$76"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

2/21/2007

HB 97, do pass. Report adopted.

HB 98, introduced bill, be amended as follows:

1. Title, line 6.

Following: "NEEDS;"

Insert: "AUTHORIZING USE OF STATE FUNDS APPROPRIATED FOR MEDICAID SERVICES;
REQUIRING A REPORT;"

2. Page 2, line 19.

Insert: "NEW SECTION. Section 4. Use of medicaid funds--report. (1) The department may use up to \$500,000 in state funds appropriated for medicaid services in each of state fiscal years 2008 and 2009 for the purposes of [section 1(3)].

(2) The department shall prepare a report to the children, families, health, and human services interim committee and the legislative finance committee no later than September 15, 2008, summarizing use of the children's system of care account in the 2009 biennium."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 113, do pass. Report adopted.

HB 217, introduced bill, be amended as follows:

1. Page 2, line 17.

Following: "removal,"

Insert: "make a good faith effort to"

And, as amended, do pass. Report adopted.

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HB 259, do pass. Report adopted.

HB 283, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "\$3,024"

Insert: "limited to a maximum of \$1,600"

And, as amended, do pass. Report adopted.

HB 364, introduced bill, be amended as follows:

1. Title, line 10.

Following: "FUND"

Insert: "AND TO THE WOLF PREDATION MITIGATION AND REIMBURSEMENT ACCOUNT IN THE
STATE SPECIAL REVENUE FUND; PROVIDING AN APPROPRIATION"

2. Page 6, line 20.

Strike: line 20

3. Page 6, line 21.

Strike: "(a) all"

Insert: "(2)(a) All"

Following: "6"

Strike: ";"

Insert: "must be deposited in the state special revenue account provided for in subsection (1)."

4. Page 6, line 22.

Strike: "and"

5. Page 6, line 23.

Strike: "money"

Insert: "Money"

6. Page 6, line 25.

Following: "4]"

Insert: "must be deposited in the appropriate account provided for in subsection (1)"

7. Page 6.

Following: line 25

Insert: "(c) All federal funds awarded to the department of fish, wildlife, and parks for compensation for wolf
depredations on livestock must be deposited in the federal special revenue account provided for in
subsection (1) for the purposes of [section 3]."

8. Page 7, line 18.

Following: "TRANSFER."

Insert: "(1)"

Following: "TRANSFERRED"

Strike: "\$1 MILLION"

Insert: "\$50,000"

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9. Page 7.

Following: line 20

Insert: "(2) There is transferred \$100,000 in fiscal year 2009 from the general fund to the state special revenue account provided for in [section 5(1)] for grants under the loss reduction program created in [section 2] and for payment of claims made under the loss mitigation program created in [section 3]."

10. Page 7, line 21.

Insert: "NEW SECTION. Section 8. Appropriation. There is appropriated from the general fund to the livestock loss reduction and mitigation board established in [section 1]:

(1) \$60,000 in fiscal year 2008 for 1.0 FTE and for operating expenses to establish the board and board activities; and

(2) \$60,000 in fiscal year 2009 for 1.0 FTE and for board expenses."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 378, do pass. Report adopted.

HB 462, introduced bill, be amended as follows:

1. Page 1, line 19.

Following: line 18

Insert: "(3) A successful candidate for the legislature or for a state office who receives a personal benefit, as defined in 13-37-240, during the individual's term of office from a public event or function related to or because of the office shall either deposit any surplus funds related to the public event or function in a constituent services account or make a donation to a nonprofit organization within 45 days after the conclusion of the event or function."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 533, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "19% "

Insert: "16% "

2. Page 3, line 14.

Strike: "19% "

Insert: "16% "

And, as amended, do pass. Report adopted.

HB 547, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "INCREASING THE NUMBER OF ROUND TRIPS REIMBURSED DURING SESSION;"

2. Page 2, line 4.

Strike: "six"

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Insert: "three"

And, as amended, do pass. Report adopted.

HB 618, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "\$20"

Insert: "\$1"

2. Page 2, line 10.

Strike: "\$20"

Insert: "\$1"

And, as amended, do pass. Report adopted.

HB 634, introduced bill, be amended as follows:

1. Page 1, line 12.

Strike: "\$325"

Insert: "\$500"

And, as amended, do pass. Report adopted.

HB 727, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/21/2007

HB 587, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "TO A SINGLE MOTOR VEHICLE"

Insert: "SEPARATELY TO THE VEHICLES COVERED BY THE POLICY"

2. Title, line 7 through line 9.

Strike: "PROVIDING" on line 7 through "POLICYHOLDER;" on line 9

3. Page 1, line 27.

Strike: "to a single vehicle"

Insert: "separately to the vehicles covered by the policy"

4. Page 2, line 6 through line 7.

Strike: subsection 4 in its entirety

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 668, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "TO"

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Insert: "THAT"

2. Page 2, following line 10.

Insert: "(2) A board may contact and request information from the department of justice, which is designated as a criminal justice agency within the meaning of 44-5-103, for the purpose of obtaining criminal history record information regarding the board's licensees and license applicants and regarding possible unlicensed practice."

3. Page 2, line 11.

Strike: "(2)(a) As"

Insert: "(3)(a) A board that requires a criminal background check as"

Following: "license"

Strike: ", a board"

4. Page 2, line 17.

Strike: "justice"

Insert: "history record"

5. Page 2, line 17 through line 18.

Strike: "concerning" on line 17 through "offense" on line 18

6. Page 2, line 23 through line 25.

Strike: subsection (e) in its entirety

7. Page 2, line 26.

Strike: "(3)"

Insert: "(4)"

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/21/2007

HJR 38, be adopted. Report adopted.

HB 340, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "or"

2. Page 2, line 7.

Following: "firearm"

Insert: "; or"

(d) obstructing a peace officer or public servant in a manner that violates 45-7-302

3. Page 2, line 20.

Strike: "A"

Insert: "Unless a firearm is seized pursuant to 46-5-401, a"

4. Page 3, line 1.

Following: "seized"

Insert: ", unless a court order is obtained to retain the firearm,"

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5. Page 3, line 5.

Following: "guilty"

Insert: "if no other charges directly relating to the firearm are pending"

6. Page 4, line 19.

Strike: "just prior to"

Insert: "if"

7. Page 4, line 25.

Following: "imposed"

Insert: ", who has not been granted a permit pursuant to 45-8-314 to purchase and possess a firearm,"

8. Page 4, lines 25 and 26.

Strike: "just prior to"

Insert: "if"

And, as amended, do pass. Report adopted.

HB 549, introduced bill, be amended as follows:

1. Title, line 6.

Following: ", "

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 6.

Following: line 29

Insert: "NEW SECTION. Section 4. Appropriation. There is appropriated \$200,000 from the general fund to the department of justice for the biennium ending June 30, 2009, for the implementation of [sections 1 through 3]."

And, as amended, do pass. Report adopted.

HB 683, introduced bill, be amended as follows:

1. Title, line 7.

Following: "ACT"

Insert: ", "

Strike: "OR"

2. Title, line 8.

Following: "ORDERS"

Insert: ", OR A COURT ORDER"

3. Page 2, line 3.

Following: "10."

Insert: "A full guardian may petition the court for authority to consent to the withholding or withdrawal of life-sustaining treatment or to a do not resuscitate order. The court may grant that authority only upon finding that consent to the withholding or withdrawal of life-sustaining treatment or the do not resuscitate order is consistent with the ward's wishes to the extent that those wishes can be determined."

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And, as amended, do pass. Report adopted.

HB 710, do pass. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

2/21/2007

HB 372, do pass. Report adopted.

HB 415, do pass. Report adopted.

HB 662, do pass. Report adopted.

HB 690, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/21/2007

HB 570, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "PROVIDING FOR A SPECIAL"

Insert: "AUTHORIZING THE USE OF THE FEDERAL"

Following: "BALLOT"

Insert: "FOR ANY ELECTION; CLARIFYING REGULAR ABSENTEE BALLOT AND FEDERAL WRITE-IN ABSENTEE BALLOT PROCEDURES;"

2. Title, page 1, line 6.

Strike: "AND"

Following: "AUTHORITY"

Insert: "; AMENDING SECTIONS 13-21-103, 13-21-201, 13-21-202, 13-21-205, 13-21-206, AND 13-21-210, MCA; AND REPEALING SECTION 13-21-204, MCA"

3. Page 1.

Following: line 8

Strike: everything after the enacting clause

Insert: "**Section 1.** Section 13-21-103, MCA, is amended to read:

"13-21-103. Secretary of state designated as single point of contact -- rulemaking. (1) The office of the secretary of state is the state's single point of contact responsible for providing information regarding voter registration and absentee ballot procedures to be used by a United States elector.

(2) The secretary of state shall, with the assistance of local election administrators, compile, make available to the general public, or forward to appropriate federal authorities any reports or information required to be compiled, made available, or forwarded pursuant to federal law.

(3) The secretary of state may adopt rules to implement the provisions of this chapter."

Insert: "**Section 2.** Section 13-21-201, MCA, is amended to read:

"13-21-201. Registration of United States electors -- simultaneous application for absentee ballot.

(1) A United States elector may register with the election administrator in the elector's county of residence by properly completing, signing, and returning:

(a) the voter registration form;

(b) the federal post card application; or

(c) the federal write-in absentee ballot ~~transmission envelope~~ as provided in 13-21-205.

(2) A registration application under ~~this section~~ subsection (1)(a) or (1)(b) must be received by the election administrator not less than 30 days before the election for the registration to be valid for the election. If the registration application is received less than 30 days before the election, the registration application must be

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processed for the next election.

(3) A registration application using a federal post card application or the federal write-in absentee ballot transmission envelope must be considered a simultaneous application for absentee ballots under 13-21-210."

Insert: "Section 3. Section 13-21-202, MCA, is amended to read:

"13-21-202. Classification of applications for regular absentee ballots -- notification of elector.

(1) Upon receipt by the election administrator of an application by a United States elector for a regular absentee ballot pursuant to 13-13-212 or 13-21-210, the election administrator shall:

(a) classify the application according to the precinct in which the elector resides or, if the information is insufficient to determine precinct of residence, assign an appropriate precinct;

(b) immediately enter all information in the registration records of the office and either file the federal post card application with regular registration forms or file a photocopy attached to a regular registration form on which the information has been entered. This information is sufficient to meet any identification requirements provided by law for an elector.

(c) send to the applicant by the fastest mail service available, which may include facsimile transmission or electronic mail, a notice that the elector has been registered and informing the elector that a regular absentee ballot is enclosed or that the elector will be mailed ~~an~~ a regular absentee ballot for that election or for the next election in which the elector is entitled to vote under subsection (1) or, if the application is rejected, a notice that the application has been rejected and the reasons for the rejection.

(2) The election administrator may use photocopies of the federal post card application to complete all necessary records."

"

Insert: "Section 4. Section 13-21-205, MCA, is amended to read:

"13-21-205. Procedure for voting federal Federal write-in absentee ballot. (1) A United States elector may register, if not already registered, and vote in any election by completing, signing, and returning a federal write-in absentee ballot and meeting the requirements in 13-21-206.

~~(1)(2)~~ (a) A United States elector voting a federal write-in absentee ballot for a federal general election may designate a candidate by writing in the name of the candidate or by writing in the name of the political party for which the elector is voting. A written designation of the political party must be counted as a vote for the candidate of that party.

(b) (i) Except as provided in subsection (2)(b)(ii), a United States elector may vote in any election for a public office other than for a federal office by using the addendum provided in the federal write-in absentee ballot and writing in the title of the office and the name of the candidate for whom the elector is voting.

(ii) If the elector is voting in a primary election, the elector shall identify the elector's political party affiliation as provided for in the appropriate section of the ballot. A vote cast by writing in the name of a candidate who is not affiliated with the elector's identified party is void and may not be counted.

(3) A vote may not be voided for reasons of misspellings, abbreviations, or other minor variations of the candidate's name.

~~(2)(4)~~ (4) If the elector receives the regular absentee ballot for the federal general election after the elector has voted and mailed a federal write-in absentee ballot, the elector may vote and return the regular absentee ballot. ""

Insert: "Section 5. Section 13-21-206, MCA, is amended to read:

"13-21-206. Counting of federal write-in absentee ballots. (1) A federal write-in absentee ballot received by an election administrator may be counted only if:

~~— (a) a valid application was made by the elector pursuant to 13-21-210;~~

(a) the elector's voter registration and identification information is sufficient to determine that the elector is eligible to vote in the election;

(b) the ballot is not received before regular absentee ballots have been printed pursuant to 13-13-205;

~~(b)(c)~~ (c) the election administrator has not received a regular absentee ballot from the elector by 8 p.m. on election day; and

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~~(c)~~(d) the ballot is sent by 8 p.m. on election day and is received by 3 p.m. on the Monday following the election.

(2) Federal write-in absentee ballots received before the close of the polls on election day may not be counted until the polls have closed.""

Insert: "Section 6. Section 13-21-210, MCA, is amended to read:

"13-21-210. Application for absentee ballots. (1) A United States elector may apply for a regular absentee ~~ballots~~ ballot as follows:

(a) by making a written request, which must include the elector's birth date and signature; or

(b) by properly completing, signing, and returning to the election administrator the federal post card application;~~or~~

~~(c) by properly completing, signing, and returning to the appropriate county election administrator the federal write-in absentee ballot transmission envelope.~~

(2) An application for a ~~federal write-in~~ regular absentee ballot must be received by the appropriate county election administrator not less than 30 days before the date of an election. An application for a regular absentee ballot that is received less than 30 days before the date of an election must be processed for the next election.

(3) An application under this section is valid for all state and local elections in the calendar year in which the application is made and the next two regularly scheduled federal general elections.

(4) The elector's county election administrator shall provide the elector with a regular absentee ballot for the elections described in this subsection as soon as the ballots ~~become available~~ are printed.""

Insert: "NEW SECTION. Section 7. Repealer. Section 13-21-204, MCA, is repealed."

Insert: "NEW SECTION. Section 8. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

And, as amended, do pass. Report adopted.

HB 663, do pass. Report adopted.

HB 671, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/21/2007

HB 529, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROPERTY;"

Insert: "PROVIDING FOR THE ALLOCATION OF EXEMPT PROPERTY BY LOCATION;"

2. Title, line 6.

Following: "EIGHT"

Insert: "AND CLASS TWELVE"

3. Page 1, line 15.

Following: "2008,"

Insert: "and for the effective tax rate reduction in calendar year 2008 on property under 15-6-145,"

4. Page 1, line 17.

Following: "]"

Insert: "and under 15-6-145"

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5. Page 1, line 18.

Following: "collected"

Insert: "under 15-6-138 and 15-6-145"

Following: "]."

Insert: "The difference is the reimbursable amount for each taxing jurisdiction."

6. Page 1, line 25.

Following: "15-6-138"

Insert: "and, if applicable, in 15-6-145"

7. Page 3, line 12.

Following: "15-6-138"

Insert: "and the amount of personal property reported under 15-6-219"

8. Page 4, line 21 through line 22.

Strike: "not" on line 21 through "entity" on line 22

9. Page 4, line 23.

Following: "taxation"

Insert: "as provided in 15-6-219"

10. Page 4, line 26.

Following: "exemptions"

Insert: "-- allocation of certain exemptions"

Following: "exemptions."

Insert: "(1)"

11. Page 4, line 29.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

12. Page 5, line 1.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsection

13. Page 5, line 9.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

14. Page 5, line 15.

Following: "from"

Insert: "property"

Strike: "directly or indirectly"

Following: "entity"

Insert: "that is identified by a unique taxpayer identification number"

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15. Page 5.

Following: line 21

Insert: "(2) (a) For determining the amount of a taxpayer's class eight property that is subject to taxation, the department shall allocate the market value of class eight business equipment that is exempt from taxation under subsection (1)(f) as provided in this subsection (2).

(b) If the class eight business equipment of the taxpayer is used in a single location, the market value of the exempt property is allocated to that location.

(c) If the class eight business equipment of the taxpayer is used in more than one location, the market value of the exempt property must be allocated to each location in the ratio that the total market value of class eight property at that location bears to the total market value of class eight property of the taxpayer at all locations.

(d) The allocations determined under subsections (2)(b) and (2)(c) must be converted to taxable value using the tax rate under 15-6-138 and must be reported to counties for the purpose of determining county classification under 7-1-2111."

16. Page 6, line 11.

Strike: "A"

Insert: "Except as provided in subsection (3), a"

17. Page 6, line 16.

Strike: "15-6-138(5)"

Insert: "15-6-219(1)(f)"

18. Page 6, line 18.

Strike: "may"

Insert: "must"

19. Page 6, line 18 through page 6, line 19.

Strike: "individual" on line 18 through "officers" on line 19

Insert: "a unique taxpayer identification number for an individual and business entity"

20. Page 6, line 20.

Strike: "through the"

Insert: "of all individuals and business"

Following: "entities."

Insert: "The department shall use the information obtained under this subsection to allocate the market value of exempt business equipment as provided in 15-6-219."

And, as amended, do pass. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wells in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 640 - Representative Grinde moved **HB 640** do pass. Motion **failed** as follows:

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Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, McAlpin, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 45

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.
Total 55

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 688 - Representative Olson moved **HB 688** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Barrett, Callahan, Everett, Jopek, Jore, Kerns, Koopman, McGillvray, Mendenhall, Witte, Mr. Speaker.
Total 11

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 689 - Representative Olson moved **HB 689** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 57

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Bergren.

Total 1

HJR 36 - Representative Lambert moved **HJR 36** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Everett, Hawk, Mendenhall, Taylor.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 478 - Representative Raser moved **HB 478** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

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Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, McGillvray, Mendenhall, Milburn, Rice, Ripley, Stoker, Ward, Wells, Witte, Mr. Speaker.
Total 24

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 491 - Representative Sinrud moved **HB 491** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Jayne, Jopek, Jore, Rice.
Total 4

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 619 - Representative Sinrud moved **HB 619** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wells moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, Glaser, Grinde, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 76

Noes: Augare, Becker, Bixby, Callahan, Cohenour, Dickenson, Erickson, French, Furey, Gallik, Groesbeck, Jayne, Jopek, Keane, Sonju, Villa, Wilson, Windy Boy.

Total 18

Excused: Ward.

Total 1

Absent or not voting: Beck, Hamilton, Hilbert, Sesso, Wells.

Total 5

MOTIONS

Majority Leader Lange moved that **HB 531** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 688** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 478** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

HB 561 - Representative Musgrove moved **HB 561** be taken out of the Committee on Appropriations and placed on second reading. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 44

Excused: Ward.

Total 1

Absent or not voting: Hilbert, Olson.

Total 2

HB 392 - Representative Bergren moved **HB 392** be taken out of the Committee on Appropriations and placed on second reading. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 45

Excused: Ward.

Total 1

Absent or not voting: Hilbert.

Total 1

HB 565 - Representative Lange moved to reconsider the action taken on **HB 565** and be placed on third reading. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ward.

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Total 1

Absent or not voting: Hilbert.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Thursday, February 22, 2007. Motion carried.

House adjourned at 6:30 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTIETH LEGISLATIVE DAY**

Helena, Montana
February 22, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Ripley. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Ward who was excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/21/2007
Correctly printed: **HB 97, HB 113, HB 259, HB 372, HB 378, HB 415, HB 624, HB 641, HB 662, HB 663, HB 671, HB 690, HB 710, HB 712, HB 724, HB 727, HB 755, HJR 25, HJR 38.**
Correctly engrossed: **HB 529, HB 217, HB 400, HB 537, HB 570, HB 340, HB 549, HB 683, HB 98, HB 283, HB 364, HB 462, HB 533, HB 547, HB 618, HB 634, HB 587, HB 668.**

NATURAL RESOURCES (McNutt, Chairman): 2/22/2007
HB 383, introduced bill, be amended as follows:

1. Page 1, line 12 through line 13.
Strike: "Water" on line 12 through "exceeded" on line 13
Insert: "Other water quality standards do not apply"

2. Page 1, line 19.
Strike: "is of good enough"
Insert: "meets a narrative standard of sufficient"

And, as amended, do pass. Report adopted.

HB 460, introduced bill, be amended as follows:

1. Title, line 6 through line 7.
Strike: "AND" on line 6 through "EXTRAORDINARY" on line 7

2. Page 3, line 23.
Strike: "effluent limitations"
Insert: "water quality standards"

3. Page 7, line 2.
Strike: "untreated mined or processed"

4. Page 7, line 3.
Strike: "waste"
Strike: "would be acid-forming"
Insert: "related to the mining operation have a reasonable probability of causing violations of water quality standards upon contact with surface water or ground water"

5. Page 7, line 4.
Strike: "that minimizes impacts to surface water or ground water"

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Insert: "or the management of those materials in a manner that complies with the requirements of Title 75, chapter 5."

6. Page 10, line 11.

Strike: "and extraordinary"

7. Page 10, line 13.

Following: "exists"

Insert: "or that there is a reasonable probability that a violation of water quality standards will occur"

8. Page 10, line 15.

Following: "bond"

Strike: ", not to exceed a period of 2 years,"

9. Page 10.

Following: line 28

Insert: "(c) An approved interim amended reclamation plan and interim bond must remain in effect until the earlier of:

(i) the date that a revised reclamation plan is approved pursuant to 82-4-337 and a permanent bond for the revised reclamation plan is submitted and accepted pursuant to this section; or

(ii) 2 years following the date of submission of a complete application pursuant to 82-4-337 to modify the reclamation plan provision or remedy the conditions that created the need to amend the reclamation plan unless the department approves or denies the complete application within 2 years of submission. The applicant may agree to an extension of this deadline.

(d) Except as provided in subsection (8), the process provided for in this subsection (7) is not subject to the provisions of Title 75, chapter 1.

(8) (a) In determining whether to require amendment of a reclamation plan under subsection (7)(a), the department shall prepare or require the permittee to prepare a written analysis of changes in the reclamation plan that may eliminate or mitigate to an acceptable level the environmental condition. The analysis must include an assessment of the effectiveness of the changes and any potential negative environmental impacts of the changes. The department shall prepare an environmental impact statement pursuant to Title 75, chapter 1, only if the department determines that the changes would not mitigate the condition to an acceptable level or may have potentially significant negative environmental impacts.

(b) If the department determines that preparation of an environmental impact statement is necessary, the permittee shall pay the department's costs pursuant to 75-1-205."

Renumber: subsequent subsections

10. Page 11, line 11.

Strike: "(9)"

Insert: "(10)"

11. Page 11, line 14.

Strike: "(9)(a)"

Insert: "(10)(a)"

12. Page 11, line 15.

Strike: "(9)(a)"

Insert: "(10)(a)"

13. Page 11, line 17.

Strike: "(9)"

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Insert: "(10)"

14. Page 11, line 20.

Strike: "(9)(a)"

Insert: "(10)(a)"

And, as amended, do pass. Report adopted.

HB 555, do pass. Report adopted.

HB 717, do pass. Report adopted.

HJR 24, introduced joint resolution, be amended as follows:

1. Page 1, line 8 through line 20.

Strike: "WHEREAS" on line 8 through "; and" on line 20

2. Page 1, line 30 through page 2, line 2.

Strike: "WHEREAS" on page 1, line 30 through "; and" on page 2, line 2

And, as amended, be adopted. Report adopted.

HJR 31, introduced joint resolution, be amended as follows:

1. Page 1.

Strike: line 15 in its entirety

2. Page 1, line 21.

Strike: "elimination"

Insert: "reduction"

3. Page 1, line 22.

Strike: "elimination"

Insert: "reduction"

And, as amended, be adopted. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

2/22/2007

HB 611, introduced bill, be amended as follows:

1. Page 2, lines 7 through 9.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

2. Page 2.

Following: line 14

Insert: "(3) "End user connection" means a customer's connection to a service provider's network."

Renumber: subsequent subsections

3. Page 2, line 25.

Following: "service."

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Insert: "The term includes providers of telecommunications service including but not limited to providers of internet protocol-enabled voice communications service."

4. Page 2, line 28.

Following: "switched"

Insert: "telephone network"

Following: "protocol-enabled"

Insert: "voice"

Strike: "networks"

Insert: "service"

5. Page 5, line 19.

Strike: "access line"

Insert: "end user connection"

6. Page 5, line 26.

Following: "(3)"

Insert: "(a)"

7. Page 5, line 30.

Following: "service"

Strike: " "

Insert: "or a prepaid wireless telephone service provider shall remit an amount equal to the fees established in subsection (1) after collecting the amount using one of the following options:

(i) on a monthly basis, the prepaid service provider shall collect an amount equal to the fees established in subsection (1) from each active prepaid subscriber whose account balance is equal to or greater than the fees established in subsection (1); or

(ii) the prepaid service provider shall divide the total intrastate monthly revenue by the average revenue for each prepaid subscriber of the wireless industry to determine the number of prepaid subscribers. The fees established in subsection (1) are then applied to the number of prepaid subscribers.

(b) Each service provider shall file a return provided by the department reporting the amount of fees collected on access line services during the quarter."

8. Page 7, line 10 through line 15.

Strike: section 10 in its entirety

Renumber: subsequent sections

9. Page 7, line 19.

Strike: "[section 10]"

Insert: "53-19-311"

10. Page 7, line 20.

Strike: "[section 10]"

Insert: "53-19-311"

11. Page 7, line 23.

Strike: "[section 10]"

Insert: "53-19-311"

12. Page 7, line 27.

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Strike: "[section 10]"
Insert: "53-19-311"

13. Page 8, line 11.
Strike: "[section 14]"
Insert: "15-1-216"

14. Page 8, line 24 through line 29.
Strike: section 13 in its entirety
Renumber: subsequent sections

15. Page 10, line 1.
Strike: "15"
Insert: "13"

16. Page 10, line 3.
Strike: "15"
Insert: "13"

And, as amended, do pass. Report adopted.

HB 715, introduced bill, be amended as follows:

1. Page 1, line 16.
Strike: "Earnings"
Insert: "Except as provided in 90-3-1003(5)(b), earnings"

2. Page 2, line 7.
Following: "(5)"
Insert: "(a)"

3. Page 2.
Following: line 8
Insert: "(b) If the board is not in receipt of a qualified application for a project to enhance coal research and development, subsection (5)(a) does not apply."

And, as amended, do pass. Report adopted.

HB 739, introduced bill, be amended as follows:

1. Title, line 5 through line 8.
Strike: "AUTHORIZING" on line 5 through "DATE" on line 8
Insert: "DEFINING TERMS; PROHIBITING CERTAIN ACTIONS OF A MUNICIPAL ELECTRIC UTILITY; ESTABLISHING APPLICATION FILING REQUIREMENTS; REQUIRING THE PUBLIC SERVICE COMMISSION TO REVIEW MUNICIPAL ELECTRIC UTILITY APPLICATIONS AND ISSUE ORDERS; REQUIRING A PUBLIC VOTE; ALLOWING THE COMMISSION TO HIRE INDEPENDENT CONSULTANTS TO ASSIST IN APPLICATION REVIEWS; AUTHORIZING THE COMMISSION TO ADOPT RULES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE"

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2. Page 1.

Following: line 10

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Definitions. Unless the context requires otherwise, as used in [sections 1 through 6], the following definitions apply:

(1) "Jurisdiction" means the physical boundaries of a local government entity forming the municipal electric utility or the service territory of a municipal electric utility, whichever is larger.

(2) "Local government entity" has the meaning provided for in 2-7-501(7)(a).

(3) "Municipal electric utility" means any local government entity or an entity created by a local government for the purpose of generating, transmitting, or distributing electricity to retail customers."

Insert: "NEW SECTION. Section 2. Prohibition. Except as provided in [sections 1 through 6], a municipal electric utility may not:

(1) acquire facilities that generate, transmit, or distribute electricity to customers; or

(2) expand the municipal electric utility's jurisdiction."

Insert: "NEW SECTION. Section 3. Filing requirements. (1) Prior to a municipal electric utility issuing more than \$5 million of general obligation or revenue bonds or spending more than a total of \$5 million of public funds for the initial acquisition of electric generation, transmission, or distribution facilities or for the expansion of its jurisdiction, the municipal electric utility shall file an application with the commission.

(2) The application must include the following information:

(a) the municipal electric utility possesses the legal authority necessary to provide electricity to the customers located within its jurisdiction;

(b) the municipal electric utility is governed by an elected governing body;

(c) the municipal electric utility is subject to rate and service conditions by the governing body;

(d) the municipal electric utility has made provisions for an adequate and reliable supply of electricity for customers within its jurisdiction at prices and on terms and conditions that are more favorable than those provided by the existing public utility for that service;

(e) the municipal electric utility will assume a proportionate share of all potential costs being incurred by the existing public utility that serves the proposed jurisdiction of the municipal electric utility, including but not limited to the costs for:

(i) the acquisition of electricity from qualifying facilities as identified in Title 69, chapter 3, part 6; and

(ii) compliance with the renewable resource standards contained in Title 69, chapter 8, part 10; and

(f) any other information that is requested by the commission by rule."

Insert: "NEW SECTION. Section 4. Commission review. (1) The commission shall review the application submitted pursuant to [section 3] for completeness within 45 days and notify the applicant of any deficiencies.

(2) (a) Except as provided in subsection (2)(b), the commission shall issue an order within 270 days of receiving a complete application.

(b) The commission may extend the time period in subsection (2)(a) for an additional 90 days if it determines that extraordinary circumstances necessitate the extension.

(3) The application must be reviewed pursuant to the contested case provisions of the Montana Administrative Procedure Act.

(4) The commission order must include the following findings:

(a) the proposed action by the municipal electric utility to initiate the acquisition of electric generation, transmission, or distribution facilities or to expand its jurisdiction will provide customers with safe and reliable service at just and reasonable rates;

(b) the proposed rates of the municipal electric utility will be less than rates of the existing public utility providing service to the municipal electric utility's proposed service jurisdiction;

(c) the proposed action of the municipal electric utility will have no adverse effect on the existing public utility or its customers; and

(d) the proposed action by the municipal electric utility is in the public interest.

(5) If the commission finds that the application of a municipal electric utility to initiate the acquisition of electric generation, transmission, or distribution facilities or to expand its jurisdiction will have adverse effects upon

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the existing public utility or the public utility's customers or that the application or expansion of the municipal electric utility's jurisdiction is not in the public interest, the municipal electric utility may not proceed with acquisition of electric generation, transmission, or distribution facilities or the expansion of its jurisdiction."

"NEW SECTION. Section 5. Public vote. (1) Within 120 days after the commission has issued an order approving the municipal electric utility's application as provided in [section 4], the municipal electric utility shall submit its proposal for the acquisition of electric generation, transmission, or distribution facilities or to expand its jurisdiction for approval by a majority of the voters in all areas where the municipal electric utility serves customers or proposes to serve customers.

(2) If, pursuant to subsection (1), the voters do not approve the municipal electric utility's proposal, the municipal electric utility may not proceed with acquisition of electric generation, transmission, or distribution facilities or the expansion of its jurisdiction."

Insert: "NEW SECTION. Section 6. Commission application review fees -- rulemaking. (1) The commission may engage independent consultants or advisory services to evaluate a municipal electric utility's application. The commission shall charge a fee to the municipal electric utility to pay for the costs of the consultants or advisory services.

(2) The commission may adopt rules to implement the provisions of [sections 1 through 6]."

Insert: "NEW SECTION. Section 7. Codification instruction. [Sections 1 through 6] are intended to be codified as an integral part of Title 69, chapter 3, and the provisions of Title 69, chapter 3, apply to [sections 1 through 6]."

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective on passage and approval."

Insert: "NEW SECTION. Section 9. Retroactive applicability. [Section 3(1)] applies retroactively, within the meaning of 1-2-109, to January 1, 2004, for the purposes of calculating the expenditure of public funds for the municipal electric utility's acquisition of electric generation, transmission, or distribution facilities or for the expansion of its jurisdiction."

And, as amended, do pass. Report adopted.

HB 763, do pass. Report adopted.

HJR 40, be adopted. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

2/22/2007

HB 687, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "7"

Insert: "4"

Strike: "SECTION"

Insert: "SECTIONS 33-22-303,"

Following: "33-22-512,"

Insert: "33-30-1014, AND 33-31-301,"

2. Page 1, line 8.

Insert: "Section 1. Section 33-22-303, MCA, is amended to read:

"33-22-303. Coverage for well-child care. (1) Each medical expense policy of disability insurance or certificate issued under the policy that is delivered, issued for delivery, renewed, extended, or modified in this state by a disability insurer and that provides coverage for a family member of the insured or subscriber must provide coverage for well-child care for children from the moment of birth through ~~2~~ 4 years of age. Benefits provided under this coverage are exempt from any deductible provision that may be in force in the policy or certificate issued under the policy.

(2) Coverage for well-child care under subsection (1) must include:

(a) a history, physical examination, developmental assessment, anticipatory guidance, and laboratory tests, according to the schedule of visits adopted under the early and periodic screening, diagnosis, and treatment services

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program provided for in 53-6-101; and

(b) routine immunizations according to the schedule for immunizations recommended by the immunization practices advisory committee of the U.S. department of health and human services.

(3) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section.

(4) This section does not apply to disability income, specified disease, accident-only, medicare supplement, or hospital indemnity policies.

(5) For purposes of this section:

(a) "well-child care" means the services described in subsection (2) and delivered by a physician or a health care professional supervised by a physician; and

(b) "developmental assessment" and "anticipatory guidance" mean the services described in the Guidelines for Health Supervision II, published by the American academy of pediatrics.

(6) When a policy of disability insurance or a certificate issued under the policy provides coverage or benefits to a resident of this state, it is considered to be delivered in this state within the meaning of this section, whether the insurer that issued or delivered the policy or certificate is located inside or outside of this state.""

Renumber: subsequent section

3. Page 1, line 13.

Strike: "7"

Insert: "4"

4. Page 2, line 4.

Insert: "**Section 3.** Section 33-30-1014, MCA, is amended to read:

"33-30-1014. Coverage for well-child care. (1) Each disability insurance plan or group disability insurance plan that is delivered, issued for delivery, renewed, extended, or modified in this state by a health service corporation and that provides coverage for a family member of the insured or subscriber must provide coverage for well-child care for children from the moment of birth through \pm 4 years of age. Benefits provided under this coverage are exempt from any deductible provision that may be in force in the plan.

(2) Coverage for well-child care under subsection (1) must include:

(a) a history, physical examination, developmental assessment, anticipatory guidance, and laboratory tests, according to the schedule of visits adopted under the early and periodic screening, diagnosis, and treatment services program provided for in 53-6-101; and

(b) routine immunizations according to the schedule for immunizations recommended by the immunization practices advisory committee of the U.S. department of health and human services.

(3) Minimum benefits may be limited to one visit payable to one provider for all of the services provided at each visit cited in this section.

(4) This section does not apply to disability income, specified disease, medicare supplement, or hospital indemnity policies.

(5) For purposes of this section:

(a) "well-child care" means the services described in subsection (2) and delivered at the intervals required in that subsection by a physician or a health care professional supervised by a physician; and

(b) "developmental assessment" and "anticipatory guidance" mean the services described in the Guidelines for Health Supervision II, published by the American academy of pediatrics.

(6) When a disability insurance plan or group disability insurance plan issued by a health service corporation provides coverage or benefits to a resident of this state, it is considered to be delivered in this state within the meaning of this section, whether the health service corporation that issued or delivered the policy or certificate is located inside or outside of this state.""

Insert: "**Section 4.** Section 33-31-301, MCA, is amended to read:

"33-31-301. (Temporary) Evidence of coverage -- schedule of charges for health care services. (1) Each enrollee residing in this state is entitled to an evidence of coverage. The health maintenance organization shall issue

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the evidence of coverage, except that if the enrollee obtains coverage through an insurance policy issued by an insurer or a contract issued by a health service corporation, whether by option or otherwise, the insurer or the health service corporation shall issue the evidence of coverage.

(2) A health maintenance organization may not issue or deliver an enrollment form, an evidence of coverage, or an amendment to an approved enrollment form or evidence of coverage to a person in this state before a copy of the enrollment form, the evidence of coverage, or the amendment to the approved enrollment form or evidence of coverage is filed with and approved by the commissioner in accordance with 33-1-501.

(3) An evidence of coverage issued or delivered to a person residing in this state may not contain a provision or statement that is untrue, misleading, or deceptive as defined in 33-31-312(1). The evidence of coverage must contain:

(a) a clear and concise statement, if a contract, or a reasonably complete summary, if a certificate, of:
(i) the health care services and the insurance or other benefits, if any, to which the enrollee is entitled;
(ii) any limitations on the services, kinds of services, or benefits to be provided, including any deductible or copayment feature;

(iii) the location at which and the manner in which information is available as to how services may be obtained;

(iv) the total amount of payment for health care services and the indemnity or service benefits, if any, that the enrollee is obligated to pay with respect to individual contracts; and

(v) a clear and understandable description of the health maintenance organization's method for resolving enrollee complaints;

(b) definitions of geographical service area, emergency care, urgent care, out-of-area services, dependent, and primary provider if these terms or terms of similar meaning are used in the evidence of coverage and have an effect on the benefits covered by the plan. The definition of geographical service area need not be stated in the text of the evidence of coverage if the definition is adequately described in an attachment that is given to each enrollee along with the evidence of coverage.

(c) clear disclosure of each provision that limits benefits or access to service in the exclusions, limitations, and exceptions sections of the evidence of coverage. The exclusions, limitations, and exceptions that must be disclosed include but are not limited to:

- (i) emergency and urgent care;
- (ii) restrictions on the selection of primary or referral providers;
- (iii) restrictions on changing providers during the contract period;
- (iv) out-of-pocket costs, including copayments and deductibles;
- (v) charges for missed appointments or other administrative sanctions;
- (vi) restrictions on access to care if copayments or other charges are not paid; and
- (vii) any restrictions on coverage for dependents who do not reside in the service area.

(d) clear disclosure of any benefits for home health care, skilled nursing care, kidney disease treatment, diabetes, maternity benefits for dependent children, alcoholism and other drug abuse, and nervous and mental disorders;

(e) except as provided in 33-22-262, a provision requiring immediate accident and sickness coverage, from and after the moment of birth, to each newborn infant of an enrollee or the enrollee's dependents;

(f) a provision providing coverage as required in 33-22-133;

(g) except as provided in 33-22-262, a provision requiring medical treatment and referral services to appropriate ancillary services for mental illness and for the abuse of or addiction to alcohol or drugs in accordance with the limits and coverage provided in Title 33, chapter 22, part 7; however:

(i) after the primary care physician refers an enrollee for treatment of and appropriate ancillary services for mental illness, alcoholism, or drug addiction, the health maintenance organization may not limit the enrollee to a health maintenance organization provider for the treatment of and appropriate ancillary services for mental illness, alcoholism, or drug addiction;

(ii) if an enrollee chooses a provider other than the health maintenance organization provider for treatment and referral services, the enrollee's designated provider shall limit treatment and services to the scope of the referral in order to receive payment from the health maintenance organization;

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(iii) the amount paid by the health maintenance organization to the enrollee's designated provider may not exceed the amount paid by the health maintenance organization to one of its providers for equivalent treatment or services;

(iv) the provisions of this subsection (3)(g) do not apply to services for mental illness provided under the Montana medicaid program as established in Title 53, chapter 6;

(h) a provision requiring coverage for well-child care for children from the moment of birth through at least 4 years of age that is exempt from any deductibles and that includes:

(i) a history, a physical examination, developmental assessment and anticipatory guidance, as those terms are defined in 33-22-303, and laboratory tests, according to the schedule of visits adopted under the early and periodic screening, diagnosis, and treatment services program provided for in 53-6-101; and

(ii) routine immunizations according to the schedule recommended by the immunization practices advisory committee of the U.S. department of health and human services;

~~(h)(i)~~ (i) a provision as follows:

"Conformity With State Statutes: Any provision of this evidence of coverage that on its effective date is in conflict with the statutes of the state in which the insured resides on that date is amended to conform to the minimum requirements of those statutes."

~~(h)(j)~~ (j) a provision that the health maintenance organization shall issue, without evidence of insurability, to the enrollee, dependents, or family members continuing coverage on the enrollee, dependents, or family members:

(i) if the evidence of coverage or any portion of it on an enrollee, dependents, or family members covered under the evidence of coverage ceases because of termination of employment or termination of membership in the class or classes eligible for coverage under the policy or because the employer discontinues the business or the coverage;

(ii) if the enrollee had been enrolled in the health maintenance organization for a period of 3 months preceding the termination of group coverage; and

(iii) if the enrollee applied for continuing coverage within 31 days after the termination of group coverage. The conversion contract may not exclude, as a preexisting condition, any condition covered by the group contract from which the enrollee converts.

~~(h)(k)~~ (k) a provision that clearly describes the amount of money an enrollee shall pay to the health maintenance organization to be covered for basic health care services.

(4) A health maintenance organization may amend an enrollment form or an evidence of coverage in a separate document if the separate document is filed with and approved by the commissioner in accordance with 33-1-501 and issued to the enrollee.

(5) (a) Except as provided in 33-22-262, a health maintenance organization shall provide the same coverage for newborn infants, required by subsection (3)(e), as it provides for enrollees, except that for newborn infants, there may be no waiting or elimination periods. A health maintenance organization may not assess a deductible or reduce benefits applicable to the coverage for newborn infants unless the deductible or reduction in benefits is consistent with the deductible or reduction in benefits applicable to all covered persons.

(b) Except as provided in 33-22-262, a health maintenance organization may not issue or amend an evidence of coverage in this state if it contains any disclaimer, waiver, or other limitation of coverage relative to the accident and sickness coverage or insurability of newborn infants of an enrollee or dependents from and after the moment of birth.

(c) If a health maintenance organization requires payment of a specific fee to provide coverage of a newborn infant beyond 31 days of the date of birth of the infant, the evidence of coverage may contain a provision that requires notification to the health maintenance organization, within 31 days after the date of birth, of the birth of an infant and payment of the required fee.

(6) The provisions of 33-1-501 govern the filing and approval of health maintenance organization forms.

(7) The commissioner may require a health maintenance organization to submit any relevant information considered necessary in determining whether to approve or disapprove a filing made pursuant to this section. (Terminates June 30, 2009--sec. 14, Ch. 325, L. 2003.)

33-31-301. (Effective July 1, 2009) Evidence of coverage -- schedule of charges for health care services.

(1) Each enrollee residing in this state is entitled to an evidence of coverage. The health maintenance organization shall

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issue the evidence of coverage, except that if the enrollee obtains coverage through an insurance policy issued by an insurer or a contract issued by a health service corporation, whether by option or otherwise, the insurer or the health service corporation shall issue the evidence of coverage.

(2) A health maintenance organization may not issue or deliver an enrollment form, an evidence of coverage, or an amendment to an approved enrollment form or evidence of coverage to a person in this state before a copy of the enrollment form, the evidence of coverage, or the amendment to the approved enrollment form or evidence of coverage is filed with and approved by the commissioner in accordance with 33-1-501.

(3) An evidence of coverage issued or delivered to a person resident in this state may not contain a provision or statement that is untrue, misleading, or deceptive as defined in 33-31-312(1). The evidence of coverage must contain:

(a) a clear and concise statement, if a contract, or a reasonably complete summary, if a certificate, of:

- (i) the health care services and the insurance or other benefits, if any, to which the enrollee is entitled;
- (ii) any limitations on the services, kinds of services, or benefits to be provided, including any deductible or copayment feature;

(iii) the location at which and the manner in which information is available as to how services may be obtained;

(iv) the total amount of payment for health care services and the indemnity or service benefits, if any, that the enrollee is obligated to pay with respect to individual contracts; and

(v) a clear and understandable description of the health maintenance organization's method for resolving enrollee complaints;

(b) definitions of geographical service area, emergency care, urgent care, out-of-area services, dependent, and primary provider if these terms or terms of similar meaning are used in the evidence of coverage and have an effect on the benefits covered by the plan. The definition of geographical service area need not be stated in the text of the evidence of coverage if the definition is adequately described in an attachment that is given to each enrollee along with the evidence of coverage.

(c) clear disclosure of each provision that limits benefits or access to service in the exclusions, limitations, and exceptions sections of the evidence of coverage. The exclusions, limitations, and exceptions that must be disclosed include but are not limited to:

- (i) emergency and urgent care;
- (ii) restrictions on the selection of primary or referral providers;
- (iii) restrictions on changing providers during the contract period;
- (iv) out-of-pocket costs, including copayments and deductibles;
- (v) charges for missed appointments or other administrative sanctions;
- (vi) restrictions on access to care if copayments or other charges are not paid; and
- (vii) any restrictions on coverage for dependents who do not reside in the service area.

(d) clear disclosure of any benefits for home health care, skilled nursing care, kidney disease treatment, diabetes, maternity benefits for dependent children, alcoholism and other drug abuse, and nervous and mental disorders;

(e) a provision requiring immediate accident and sickness coverage, from and after the moment of birth, to each newborn infant of an enrollee or the enrollee's dependents;

(f) a provision providing coverage as required in 33-22-133;

(g) a provision requiring medical treatment and referral services to appropriate ancillary services for mental illness and for the abuse of or addiction to alcohol or drugs in accordance with the limits and coverage provided in Title 33, chapter 22, part 7; however:

(i) after the primary care physician refers an enrollee for treatment of and appropriate ancillary services for mental illness, alcoholism, or drug addiction, the health maintenance organization may not limit the enrollee to a health maintenance organization provider for the treatment of and appropriate ancillary services for mental illness, alcoholism, or drug addiction;

(ii) if an enrollee chooses a provider other than the health maintenance organization provider for treatment and referral services, the enrollee's designated provider shall limit treatment and services to the scope of the referral in order to receive payment from the health maintenance organization;

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(iii) the amount paid by the health maintenance organization to the enrollee's designated provider may not exceed the amount paid by the health maintenance organization to one of its providers for equivalent treatment or services;

(iv) the provisions of this subsection (3)(g) do not apply to services for mental illness provided under the Montana medicaid program as established in Title 53, chapter 6;

(h) a provision requiring coverage for well-child care for children from the moment of birth through at least 4 years of age, including:

(i) a history, a physical examination, developmental assessment and anticipatory guidance, as those terms are defined in 33-22-303, and laboratory tests, according to the schedule of visits adopted under the early and periodic screening, diagnosis, and treatment services program provided for in 53-6-101; and

(ii) routine immunizations according to the schedule recommended by the immunization practices advisory committee of the U.S. department of health and human services;

~~(h)(i)~~ (i) a provision as follows:

"Conformity With State Statutes: Any provision of this evidence of coverage that on its effective date is in conflict with the statutes of the state in which the insured resides on that date is amended to conform to the minimum requirements of those statutes."

~~(h)(j)~~ (j) a provision that the health maintenance organization shall issue, without evidence of insurability, to the enrollee, dependents, or family members continuing coverage on the enrollee, dependents, or family members:

(i) if the evidence of coverage or any portion of it on an enrollee, dependents, or family members covered under the evidence of coverage ceases because of termination of employment or termination of membership in the class or classes eligible for coverage under the policy or because the employer discontinues the business or the coverage;

(ii) if the enrollee had been enrolled in the health maintenance organization for a period of 3 months preceding the termination of group coverage; and

(iii) if the enrollee applied for continuing coverage within 31 days after the termination of group coverage. The conversion contract may not exclude, as a preexisting condition, any condition covered by the group contract from which the enrollee converts.

~~(h)(k)~~ (k) a provision that clearly describes the amount of money an enrollee shall pay to the health maintenance organization to be covered for basic health care services.

(4) A health maintenance organization may amend an enrollment form or an evidence of coverage in a separate document if the separate document is filed with and approved by the commissioner in accordance with 33-1-501 and issued to the enrollee.

(5) (a) A health maintenance organization shall provide the same coverage for newborn infants, required by subsection (3)(e), as it provides for enrollees, except that for newborn infants, there may be no waiting or elimination periods. A health maintenance organization may not assess a deductible or reduce benefits applicable to the coverage for newborn infants unless the deductible or reduction in benefits is consistent with the deductible or reduction in benefits applicable to all covered persons.

(b) A health maintenance organization may not issue or amend an evidence of coverage in this state if it contains any disclaimer, waiver, or other limitation of coverage relative to the accident and sickness coverage or insurability of newborn infants of an enrollee or dependents from and after the moment of birth.

(c) If a health maintenance organization requires payment of a specific fee to provide coverage of a newborn infant beyond 31 days of the date of birth of the infant, the evidence of coverage may contain a provision that requires notification to the health maintenance organization, within 31 days after the date of birth, of the birth of an infant and payment of the required fee.

(6) The provisions of 33-1-501 govern the filing and approval of health maintenance organization forms.

(7) The commissioner may require a health maintenance organization to submit any relevant information considered necessary in determining whether to approve or disapprove a filing made pursuant to this section."

And, as amended, do pass. Report adopted.

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MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/21/2007

SB 19, introduced by Shockley
SB 22, introduced by Weinberg
SB 103, introduced by Lind
SB 218, introduced by Lind
SB 254, introduced by Wanzenried
SB 264, introduced by Kaufmann
SB 317, introduced by Lewis
SB 321, introduced by Brueggeman
SB 347, introduced by Shockley
SB 387, introduced by Squires
SB 397, introduced by Gillan
SB 418, introduced by Weinberg
SB 442, introduced by Kaufmann
SB 443, introduced by Squires
SB 453, introduced by Essmann
SJR 19, introduced by Gillan

SB 31, introduced by Esp, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/21/2007

Yeas - 50
Nays - 0

SB 142, introduced by Lind, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/21/2007

Yeas - 50
Nays - 0

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 799, introduced by K. Peterson, referred to Taxation.
HB 800, introduced by Cohenour, referred to Business and Labor.
HB 801, introduced by MacLaren, referred to Taxation.
HB 802, introduced by Arntzen, referred to Appropriations.
HB 803, introduced by Himmelberger, referred to State Administration.
HB 804, introduced by Taylor, Sinrud, Stapleton, Laible, Barkus, McGee, McGillvray, MacLaren, Barrett, referred to Appropriations.
HB 805, introduced by Ripley, Sinrud, Tash, Barkus, McGee, McGillvray, Barrett, MacLaren, referred to Appropriations.
HB 806, introduced by Beck, Sinrud, McGee, McGillvray, MacLaren, Barkus, Barrett, referred to Appropriations.
HB 807, introduced by Wells, Sinrud, Stapleton, Barkus, McGee, McGillvray, MacLaren, Barrett, referred to Appropriations.
HB 808, introduced by Clark, Sinrud, Barkus, McGillvray, McGee, MacLaren, Barrett, referred to Appropriations.
HB 809, introduced by Glaser, Sinrud, Barkus, McGee, McGillvray, MacLaren, referred to Appropriations.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Augare in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 724 - Representative Furey moved **HB 724** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Everett, Hawk, Hendrick, Jore, Kasten, Kerns, Koopman, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 13

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 664 - Representative Keane moved **HB 664** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 681 - Representative Driscoll moved **HB 681** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Boggio, Kasten, Malcolm, Mendenhall, Ripley.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HJR 25 - Representative Rice moved **HJR 25** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Erickson, Hands, Musgrove, Taylor, Wilson.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Franklin, Gallik.

Total 2

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HB 525 - Representative Koopman moved **HB 525** do pass.

HB 525 - Representative Keane moved for cloture.

HB 525 - The motion to pass **HB 525 failed** as follows:

Ayes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Noes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 590 - Representative Everett moved **HB 590** do pass.

HB 590 - Representative Keane moved for cloture.

HB 590 - The motion to pass **HB 590** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: Gallik.
Total 1

HB 609 - Representative Hamilton moved **HB 609** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 94

Noes: Boggio, Butcher, Kasten, Rice, Sinrud, Mr. Speaker.
Total 6

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 624 - Representative Clark moved **HB 624** do pass. Motion carried as follows:

Ayes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 641 - Representative Musgrove moved **HB 641** do pass. Motion carried as follows:

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Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Campbell, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Olson, Phillips, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte.
Total 62

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Everett, French, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Kasten, Lake, MacLaren, McGillvray, Milburn, Nooney, O'Hara, Parker, Peterson, Pomnichowski, Ross, Sinrud, Stoker, Taylor, Ward, Wilson, Mr. Speaker.
Total 38

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 657 - Representative Ebinger moved **HB 657** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Hendrick, Jore, Koopman, McGillvray, Rice, Ward.
Total 6

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Ebinger.
Total 1

HB 712 - Representative Jore moved **HB 712** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 713 - Representative Lange moved consideration of **HB 713** be passed for the day. Motion carried.

HB 741 - Representative L. Jones moved **HB 741** do pass.

HB 741 - Representative L. Jones moved **HB 741**, second reading copy, be amended as follows:

1. Page 1, line 25.

Strike: "An insurer shall compensate any health care provider, separate and apart from"

Insert: "Notwithstanding"

2. Page 1, line 26.

Following: "services," on line 26

Insert: "an insurer shall compensate a health care provider"

3. Page 1, line 27.

Strike: "any other"

Insert: "the"

Strike: "listed in subsection (1)"

4. Page 1, line 28.

Strike: "Services are equivalent if the services are described"

Insert: "Rates for services are determined"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Becker, Franklin, Gallik, Hands, Henry, Jopek, Morgan, Pomnichowski, Sands.

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Total 9

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 741 - The motion to pass **HB 741** as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: French, Jore, Koopman, Mendenhall, Milburn.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 87

Noes: Gallik, Groesbeck, Hendrick, Jore, Koopman, Rice, Wells, Witte.

Total 8

Excused: Ward.

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Total 1

Absent or not voting: Kasten, Musgrove, Olson, Van Dyk.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 175 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Boggio, Butcher, Clark, Everett, Jore, Kasten, Kerns, Koopman, Lange, Mendenhall, Peterson, Ripley, Witte.

Total 13

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 176 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Stoker.

Total 1

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

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HB 332 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 82

Noes: Barrett, Boggio, Everett, Hendrick, Hilbert, Ingraham, Jore, Kasten, Koopman, Lake, Lange, Mendenhall, Rice, Stahl, Vincent, Witte.

Total 16

Excused: Ward.

Total 1

Absent or not voting: Thomas.

Total 1

HB 491 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jayne, Jore.

Total 2

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 514 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa,

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Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: Ward.
Total 1

Absent or not voting: Dickenson, Ebinger, Sonju.
Total 3

HB 597 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cordier, Dutton, Ebinger, Everett, Franklin, Furey, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 68

Noes: Bixby, Campbell, Cohenour, Dickenson, Driscoll, Erickson, French, Gallik, Groesbeck, Hamilton, Hands, Henry, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Villa, Wilmer, Wiseman.
Total 31

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 619 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Ward.
Total 1

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Absent or not voting: None.
Total 0

HB 636 passed as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 80

Noes: Ankney, Boggio, Butcher, Dutton, Hawk, Hilbert, Himmelberger, W. Jones, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, O'Hara, Ripley, Ross, Stoker, Taylor.
Total 19

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 689 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.
Total 59

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.
Total 40

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HJR 26 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan,

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Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Heinert, Hilbert, L. Jones, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 29

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 36 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Hawk, Mendenhall, Sonju, Taylor, Witte.

Total 5

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

2/22/2007

HB 116, introduced bill, be amended as follows:

1. Page 3.

Following: line 18

Insert: "(ii) 1.97% to the natural resources projects state special revenue account established in [section 28];"

Renumber: subsequent subsections

2. Page 3, line 19.

Strike: "2.95% "

Insert: "1.96% "

3. Page 3, line 21.

Strike: "2.95% "

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Insert: "1.96% "

4. Page 3.

Following: line 25

Insert: "(i) 2.43% to the natural resources projects state special revenue account established in [section 28];"

Renumber: subsequent subsections

5. Page 3, line 26.

Strike: "4.18% "

Insert: "2.30% "

6. Page 3, line 28.

Strike: "2.95% "

Insert: "2.40% "

7. Page 8, line 4.

Following: "grants;"

Insert: "and"

8. Page 8, line 8.

Strike: "\$300,000"

Insert: "\$440,000"

9. Page 8, line 9.

Following: "85-2-905"

Strike: "; and"

Insert: ". "

10. Page 8, line 10 through line 13.

Strike: subsection (iii) in its entirety

11. Page 10, line 4.

Strike: "\$300,000"

Insert: "\$440,000"

12. Page 36, line 8.

Following: "15-38-106;"

Strike: "and"

13. Page 36.

Following: line 8

Insert: "(c) the oil and natural gas production tax as provided in 15-36-331; and"

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/22/2007

HB 442, introduced bill, be amended as follows:

1. Page 1, line 15.

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Following: "(a)"

Insert: "subject to subsection (3),"

2. Page 1.

Following: line 22

Insert: "(3) (a) Of the total number of bills to be selected for review under subsection (2)(a), five bills must be selected from each of the following ranges of potential fiscal impact:

(i) \$0 to \$249,999;

(ii) \$250,000 to \$499,999;

(iii) \$500,000 to \$999,999;

(iv) \$1,000,000 to \$4,999,999; and

(v) \$5,000,000 and greater.

(b) The fiscal notes for the bills included in the review may involve either expenditures or revenue, or both.

(c) Fiscal notes included in the study must be fiscal notes that predict expenditures or revenue as a result of the bill being passed and approved. A fiscal note on a bill that provides for an appropriation, statutory appropriation, or transfer may not be included in the study.

Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

HB 620, do pass. Report adopted.

HB 667, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "GRANTS;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Title, page 1, line 9.

Strike: "22-3-1003"

Insert: "22-3-107"

3. Page 1, line 22.

Strike: "the principal of"

4. Page 1, line 25.

Following: "(5)"

Insert: "(a)"

Strike: "The Montana heritage preservation and development commission"

Insert: "The board of trustees of the Montana historical society"

5. Page 1.

Following: line 28

Insert: "(b) Up to 10% of the funds provided for in subsection (4) may be spent by the board of trustees of the Montana historical society to administer this section."

6. Page 1, line 29.

Following: "(5)"

Insert: "(a)"

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7. Page 1, line 30.

Following: "be"

Insert: "at least"

8. Page 2, line 2 through page 4, line 16.

Strike: section 3 in its entirety

Insert: "**Section 3.** Section 22-3-107, MCA, is amended to read:

"22-3-107. Authority of board. The powers and duties of the trustees are as follows:

- (1) to elect annually from among their number a president, a vice president, and a secretary;
- (2) to adopt bylaws for their own government and to make rules, not inconsistent with law, for the proper administration of the society in the interests of preserving the rich heritage of this state and its people;
- (3) to appoint a director, fix the director's salary, and prescribe the director's duties and responsibilities;
- (4) to create classes of memberships in the society as they consider desirable, to determine the qualifications for any class of membership, and to set the fees to be paid for memberships;
- (5) to sell or exchange publications and other museum or art objects and use the money arising from sales for the operation of the society and for the acquisition of historical materials and objects of art;
- (6) to sell or exchange surplus or duplicate books, surplus museum or art objects, or artifacts not pertinent to the region encompassed by the Montana historical society mission and to use the money arising from the sales exclusively for acquisitions of library, art, and museum artifacts;
- (7) to see that the collections and properties of the society are maintained in good order and repair;
- (8) to report to the governor and, as provided in 5-11-210, the legislature biennially. The report must include a statement of all important transactions and acquisitions, with suggestions and recommendations for the better realization of the purposes of the society and the improvement of its collections and services.
- (9) to accept, receive, and administer in the name of the society any gifts, donations, properties, securities, bequests, and legacies that may be made to the society. Money received by donation, gift, bequest, or legacy, unless otherwise provided by the donor, must be deposited in the state treasury and used for the general operation of the society.
- (10) to collect, assemble, preserve, and display, when appropriate, all obtainable books, pamphlets, maps, charts, manuscripts, journals, diaries, papers, business records, paintings, drawings, engravings, photographs, statuary, models, relics, and all other materials illustrative of the history of Montana in particular and generally of the Pacific Northwest, Northern Rocky Mountain, and Northern Great Plains regions and of the United States of America when pertinent;
- (11) to procure from pioneers, early settlers, and others narratives of the events relative to the early settlement of Montana, the Indian occupancy, Indian and other wars, overland travel and immigration to the territories of the west, and all other related documents of Montana's history, development, and society;
- (12) to gather contemporary information, specimens, and all other materials that exhibit faithfully the distinctive historical and contemporary characteristics of the area, with particular attention to Indian, military, and pioneer artifacts and implements;
- (13) to collect and preserve such natural history objects as fossils, plants, minerals, and animals;
- (14) to collect and preserve books, maps, manuscripts, and other materials as will tend to facilitate historical, scientific, and antiquarian research;
- (15) to promote the study of Montana history by lectures and publications;
- (16) to publish a roadside history of Montana, with maps, photographs, and text that will enable tourists, citizens, and students to understand the history of the countryside seen from the state's main roads;
- (17) to generally foster and encourage the fine arts and cultural activities in Montana;
- (18) to receive for and on behalf of the state, by donation or otherwise, art objects of any kind and description and to exhibit and circulate the objects in Montana and elsewhere;
- (19) to administer the provisions of [section 2] relating to the Lewis and Clark heritage tourism trust fund;
- ~~(19)~~(20) to microfilm papers or documents in danger of disappearance or injury; and
- ~~(20)~~(21) to coordinate the administration of the historic records network established in 22-3-211."

Insert: "NEW SECTION. **Section 4. Appropriation.** There is appropriated \$2 million from the Lewis and Clark

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heritage tourism trust fund established in [section 2] to the board of trustees of the Montana historical society."

Renumber: subsequent sections

9. Page 4, line 19.

Strike: "part 10" in two places

Insert: "part 1" in two places

And, as amended, do pass. Report adopted.

HB 692, introduced bill, be amended as follows:

1. Page 1, line 22.

Strike: "draft"

Insert: "for drafting agency"

Strike: " "

2. Page 1, line 23.

Following: "senate"

Strike: " "

And, as amended, do pass. Report adopted.

HB 703, do pass. Report adopted.

HB 706, do pass. Report adopted.

HB 785, do pass. Report adopted.

HJR 42, be adopted. Report adopted.

HB 294, introduced bill, be amended as follows:

1. Title, line 6.

Following: "CRITERIA"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 15.

Following: line 14

Insert: "(1) "Board" means the board of veterans' affairs created in 2-15-1205."

Renumber: subsequent subsections

3. Page 1, line 17.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

4. Page 1, line 23.

Following: "(6)"

Insert: "(a)"

5. Page 1, lines 24 and 25.

Following: "forces" on line 24

Strike: "in Iraq or Afghanistan or overseas in a related theater of conflict"

Following: "who" on line 24

Strike: "is not"

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Insert: "was"

Following: "for" on line 24

Strike: remainder of line 24 through "redeployment" on line 25

Insert: "special pay for imminent danger"

Following: "redeployment." on line 25

Insert: "The term includes an individual who is a member of the ready reserve."

6. Page 1, line 26.

Following: line 25

Insert: "(b) The term does not include an individual who is still on active status in the reserve component of the armed forces."

7. Page 1, line 27.

Strike: "department"

Insert: "board"

8. Page 1, line 28 through page 2, line 5.

Following: "implement" on page 1, line 28

Strike: remainder of line 28 through "years" on page 2, line 5

Insert: "[sections 1 through 4]"

9. Page 2, lines 6 through 28.

Strike: subsections (2) through (6) in their entirety

Insert: "(2) A veteran who is eligible under [section 4] may apply to the board for a soldier appreciation scholarship at the end of a semester of school at a community college, a tribal college, or a unit of the Montana university system.

(3) Subject to available funding, if the veteran meets the eligibility requirements in [section 4], the board shall pay to the veteran a scholarship amount that is equal to the tuition and fees paid by the veteran for the previous semester. Scholarships must be awarded, as funding allows, in the order in which applications are received."

Renumber: subsequent subsection

10. Page 2, line 29.

Strike: "department"

Insert: "board"

11. Page 3, line 4.

Strike: "agency"

12. Page 3, line 7.

Following: "veteran"

Insert: ":

(a) shall present proof of having been"

13. Page 3, line 8.

Strike: ":",

Insert: "during the semester preceding the veteran's application;"

14. Page 3, line 9.

Strike: "(a)"

Insert: "(b)"

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Renumber: subsequent subsection

15. Page 3, lines 11 through 17.

Strike: subsections (2) and (3) in their entirety

Renumber: subsequent subsection

16. Page 3, line 19.

Following: line 18

Insert: "(a) has already received a scholarship for 60 semester credits;"

Renumber: subsequent subsections

17. Page 3, line 24.

Insert: "NEW SECTION. Section 5. Appropriation. There is appropriated from the state general fund to the board of veterans' affairs \$940,333 for the biennium ending June 30, 2009, for the purposes of [sections 1 through 4]."

Renumber: subsequent sections

18. Page 3, line 26.

Strike: "Title 20, chapter 26," in both places

Insert: "Title 10, chapter 2," in both places

And, as amended, do pass. Report adopted.

HB 686, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "THAT" on line 5

Strike: remainder of line 5 through "OFFICIALS" on line 6

Insert: "THE GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, ATTORNEY GENERAL, SUPERINTENDENT OF PUBLIC INSTRUCTION, AUDITOR, MEMBERS OF THE LEGISLATURE, PUBLIC SERVICE COMMISSIONERS, SUPREME COURT JUSTICES, AND DISTRICT COURT JUDGES"

2. Page 1, line 12.

Following: "elections."

Insert: "(1)"

Strike: "In"

Insert: "Except as provided in subsection (2), in"

3. Page 1, line 13.

Strike: "majority"

Insert: "largest number"

4. Page 1, line 14.

Following: line 13

Insert: "(2) In elections for governor, lieutenant governor, secretary of state, attorney general, superintendent of public instruction, auditor, member of the legislature, public service commissioner, supreme court justice, and district court judge, the person receiving the majority of votes shall be declared elected."

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5. Page 1, line 21.
Following: "elected"
Insert: "state"

6. Page 1, line 22.
Following: "elected"
Insert: "state"

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

2/22/2007

HB 545, introduced bill, be amended as follows:

1. Title, line 7.
Strike: the second "AUDIT" through "AND"

2. Title, line 8.
Strike: "4"
Insert: "3"

3. Title, line 9.
Following: "DATE"
Insert: ", "
Strike: "AND"

4. Title, line 10.
Following: "DATE"
Insert: ", AND TERMINATION DATES"

5. Page 1, line 16.
Following: "conducted on"
Insert: "permanent"
Following: "buildings"
Insert: "of at least 5,000 square feet"

6. Page 1, line 18.
Strike: "(a)"
Strike: "20% "
Insert: "5% "

7. Page 1, line 21 through line 27.
Strike: subsection (b) in its entirety

8. Page 1, line 28 through line 29.
Strike: "except" on line 28 through "(2)(b)" on line 29

9. Page 2, line 5.
Following: "[section 1]"
Insert: ", as that section read on December 31, 2008"

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10. Page 2, line 6.

Strike: "20% "

Insert: "5% "

11. Page 2, line 9.

Strike: "4"

Insert: "3"

12. Page 2, line 10.

Strike: "20% "

Insert: "5% "

13. Page 2, line 13.

Strike: "(2)(a)"

Insert: "(2)"

Following: "]"

Insert: ", as that section read on December 31, 2008"

14. Page 2, line 22.

Following: "15-32-109₂,"

Insert: "["

15. Page 2, line 23.

Following: "1"

Insert: "]"

16. Page 3.

Following: line 3

Insert: "NEW SECTION. Section 7. Termination. (1) [Section 1] and the bracketed language in [section 3] terminate December 31, 2008.

(2) [Sections 2 and 3] terminate December 31, 2012."

And, as amended, do pass. Report adopted.

HB 637, do pass. Report adopted.

HB 678, introduced bill, be amended as follows:

1. Title, lines 5 and 6.

Following: "SCHOOLS" on line 5

Strike: remainder of line 5 through "LEVY" on line 6

2. Title, line 12.

Strike: "20-9-360,"

3. Page 1, line 21 through line 22.

Following: "(b)" on line 21

Strike: "(i) Subject to subsection (1)(b)(ii), the "

Insert: "The"

Following: "credit" on line 21

Insert: "for a taxpayer's residential property"

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Following: "by" on line 21
Strike: remainder of line 21 through "0.038 and" on line 22
Strike: "that" on line 22
Insert: "the"
Following: "amount"
Insert: "determined under subsection (1)(c)"

4. Page 1, line 23.
Strike: "(\$400-(taxable value x 0.038))"

5. Page 1, line 24 through line 26.
Strike: subsection (1)(b)(ii) in its entirety

6. Page 1, line 28.
Strike: "(1)(b)(ii)"
Insert: "(1)(b)"

7. Page 25, line 7 through line 12.
Strike: section 12 in its entirety
Renumber: subsequent sections

8. Page 31, line 12.
Strike: "[Sections 1 and 12 and this section]"
Insert: "[Section 1 and this section]"

9. Page 31, lines 18 and 19.
Strike: subsection (2) in its entirety
Renumber: subsequent subsection

10. Page 31, line 20.
Strike: "11 and 13 through"

And, as amended, do pass. Report adopted.

HB 701, do pass. Report adopted.
HB 719, introduced bill, be amended as follows:

1. Page 1, line 10.
Strike: "(a)"

2. Page 1, line 14 through line 16.
Strike: subsection (b) in its entirety

And, as amended, do pass. Report adopted.

MOTIONS

HB 289 - Representative Augare moved **HB 289** be taken from the Committee on Taxation, be printed and placed on second reading. Motion requiring a three-fifths vote, **failed** as follows:

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Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 74 - Representative Campbell moved **HB 74** be taken from the Committee on Taxation, be printed and placed on second reading. Motion requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Friday, February 23, 2007. Motion carried. House adjourned at 3:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 23, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Jore. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Ward who was excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/21/2007

Correctly printed: **HB 555, HB 620, HB 637, HB 701, HB 703, HB 706, HB 717, HB 763, HB 785, HB 345, HB 531, HB 723, HB 440, HB 770, HJR 35.**

Correctly engrossed: **HB 116, HB 294, HB 383, HB 442, HB 460, HB 545, HB 611, HB 667, HB 678, HB 686, HB 687, HB 692, HB 715, HB 719, HB 739, HB 741, HJR 24, HJR 31, HB 695, HB 742, HB 284, HB 412, HB 629, HB 729, HB 748, HB 766, HB 466, HB 608, HB 791.**

TAXATION (Lake, Chairman): 2/21/2007

HB 748, introduced bill, be amended as follows:

1. Page 2, line 7 through line 11.
Strike: subsection (3) in its entirety

And, as amended, do pass. Report adopted.

HB 166, introduced bill, be amended as follows: 2/23/2007

1. Title, line 7.
Strike: ", BIOLUBRICANTS,"
Strike: "CO-PRODUCTS"
Insert: "BIOLUBRICANT"

2. Page 1, line 18.
Strike: "purchased"
Insert: "that is used"

3. Page 1, line 19 through line 20.
Strike: "biolubricants" on line 19 through "biolubricants" on line 20
Insert: "or biolubricant"

4. Page 2, line 21.
Strike: "operations"
Insert: "production of biodiesel or biolubricant for a period of 12 continuous months"

5. Page 2.
Following: line 30

Insert: "(9) For the purposes of this section, "biolubricant" means a commercial or industrial product, other than food or feed, that is composed in whole or in substantial part of biological products, renewable domestic agricultural materials, including plant, animal, or marine materials, or forestry materials and that is used in

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place of a petroleum-based lubricant."

6. Page 3, line 3.

Following: "Biodiesel"

Insert: "or biolubricant"

7. Page 3, line 5.

Following: "constructing"

Strike: "and"

Insert: "or"

Following: "facility"

Insert: ", or both,"

8. Page 3, line 6.

Following: "biodiesel"

Insert: "or biolubricant"

9. Page 3, line 10.

Following: "biodiesel"

Insert: "or biolubricant"

10. Page 3, line 11.

Following: "biodiesel"

Insert: "or biolubricant"

11. Page 3, line 22.

Following: "biodiesel"

Insert: "or biolubricant"

12. Page 3, line 27.

Following: "biodiesel"

Insert: "or biolubricant"

13. Page 4, line 5.

Following: "biodiesel"

Insert: "or biolubricant"

14. Page 4, line 6.

Strike: "operations"

Insert: "production of biodiesel or biolubricant for a period of 12 continuous months"

15. Page 4, line 13.

Following: "biodiesel"

Insert: "or biolubricant"

16. Page 4, line 16.

Following: "section,"

Insert: "the following definitions apply:

(a)"

Strike: "'biodiesel'"

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Insert: ""Biodiesel""

17. Page 4.

Following: line 16

Insert: "(b) "Biolubricant" has the meaning provided in 15-32-701(9)."

18. Page 5, line 11.

Strike: "ingredients"

Following: "~~diesel~~"

Insert: "feedstocks"

19. Page 5, line 29.

Strike: "operations"

Insert: "blending of biodiesel with petroleum diesel for sale for a period of 12 continuous months"

And, as amended, do pass. Report adopted.

HB 216, introduced bill, be amended as follows:

1. Title, line 5.

Following: "EXPENDITURES;"

Insert: "CLARIFYING THAT CERTAIN ALTERNATIVE ENERGY SYSTEMS MUST MEET CERTAIN SAFETY AND RELIABILITY REQUIREMENTS TO QUALIFY FOR THE CREDIT;"

2. Page 1, line 13.

Following: "(1)"

Insert: "(a)"

Strike: "A"

Insert: "Subject to subsection (1)(b), a"

3. Page 1.

Following: line 17

Insert: "(b) If the taxpayer's energy system is a net metering system, the system must comply with the provisions of 69-8-604 to qualify for the credit under subsection (1)(a) of this section."

And, as amended, do pass. Report adopted.

HB 236, introduced bill, be amended as follows:

1. Title, line 7 through line 8.

Strike: "PROVIDING" on line 7 through "ADJUSTMENTS;" on line 8

2. Page 4, line 14 through line 18.

Strike: subsection (7) in its entirety

And, as amended, do pass. Report adopted.

HB 644, introduced bill, be amended as follows:

1. Page 1, line 16.

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Following: "~~1970,~~"

Insert: "ending before January 1, 2007,"

2. Page 1, line 18.

Strike: "five"

Following: "~~taxable~~"

Insert: "seven"

3. Page 2, line 14.

Following: "for"

Insert: "its"

And, as amended, do pass. Report adopted.

HB 778, introduced bill, be amended as follows:

1. Page 4, line 15.

Following: "(8)" on line 15

Strike: remainder of line 15 in its entirety

2. Page 4, line 16.

Following: line 15

Insert: "Any"

Following: "interest"

Insert: "in production"

3. Page 4, line 21.

Strike: "2006"

Insert: "1995"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

2/22/2007

HB 412, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "DISTRIBUTIONS TO"

Insert: "TRANSACTIONS WITH"

Following: "MEMBERS"

Strike: "WHO ARE PUBLIC BENEFIT CORPORATIONS"

Insert: ", DIRECTORS, OR OFFICERS"

2. Title, line 6.

Following: "PURPOSES"

Insert: "UPON CERTAIN CONDITIONS"

Strike: "35-2-1402,"

Insert: "35-2-1401,"

3. Page 1, line 10 through line 18.

Strike: section 1 in its entirety

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Insert: "Section 1. Section 35-2-1401, MCA, is amended to read:

"35-2-1401. Prohibited distributions -- permitted transactions. (1) Except as authorized by 35-2-1402, a corporation may not make any distributions.

(2) A public benefit corporation may, subject to the requirements of Title 15, chapter 31, and this chapter, as applicable:

(a) pay reasonable compensation or reimburse reasonable expenses to members, directors, or officers for services rendered; and

(b) confer benefits upon or make contributions to members in conformity with its charitable purposes if after the transaction is completed:

(i) the corporation would be able to pay its debts as they become due in the usual course of its activities; and

(ii) the corporation's total assets would at least equal the sum of its total liabilities."

And, as amended, do pass. Report adopted.

HB 766, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "1"

Insert: "2"

2. Page 1, line 24.

Strike: "1"

Insert: "2"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

2/22/2007

HB 284, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "DIRECTING"

Insert: "AUTHORIZING"

2. Title, line 5 through line 6.

Strike: "BY" on line 5 through "PARKS" on line 6

3. Title, line 6.

Following: "DEPARTMENT"

Insert: "OF FISH, WILDLIFE, AND PARKS"

4. Title, line 8.

Following: "PARK AND"

Insert: "RENOVATION AND USE OF"

Following: "THE"

Strike: "RENOVATED"

Following: "BUILDING;"

Strike: "PROVIDING AN APPROPRIATION;"

5. Page 1, line 14.

Following: "(1)"

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Insert: "(a)"

Following: "parks"

Strike: "shall"

Insert: "may enter into a 10-year agreement with the Little Shell Chippewa tribe that would authorize the tribe to"

6. Page 1, line 15.

Following: "park"

Insert: "and use the building for offices, interpretive areas, and related cultural and recreational activities.

(b) If the provisions of the agreement have been adhered to during the first 10-year period, the department and the tribe may renew the agreement for a longer term or agree to transfer the building and acreage to the tribe.

(c) The agreement must provide that written approval by the department is required for major improvements costing more than \$5,000 and for architectural plans proposed by the tribe for the building and site. The department may not unreasonably withhold approval for the tribe's proposals.

(d) The agreement must contain a provision that the site remain open to the public for general recreation and related activities during the term of the agreement.

(e) The agreement must contain a provision that gambling, casinos, or similar gaming enterprises are prohibited in the building or on the site.

(f) An appropriate default provision must be included in the agreement."

7. Page 1, line 17.

Following: "granted."

Insert: "All renovation of and upgrades to the building must comply with current and applicable building codes, permitting, requirements of the federal Americans With Disabilities Act of 1990, and other requirements related to a public building."

8. Page 1, line 18.

Following: "The"

Strike: "department may enter an"

Following: "tribe"

Insert: "may include a provision"

9. Page 1, line 22 through line 24.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 440, do pass. Report adopted.

HB 770, do pass. Report adopted.

HJR 35, be adopted. Report adopted.

HB 759, introduced bill, be amended as follows:

2/23/2007

1. Page 1, line 20.

Strike: "11"

Insert: "seven"

2. Page 1, line 21.

Strike: "eight"

Insert: "four"

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And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/22/2007

HB 629, introduced bill, be amended as follows:

1. Page 1, line 12.

Strike: "recommend"

Insert: "suggest, and the parties to request by motion,"

2. Page 1.

Following: line 14

Insert: "NEW SECTION. Section 1. Definitions. As used in [sections 1 through 7], the following definitions apply:

(1) "Mediation" has the meaning provided in 26-1-813(1).

(2) "Party" means any one of the following, and "parties" means all of the following:

(a) the defendant;

(b) a victim of the crime; or

(c) the county attorney or other prosecuting attorney."

Renumber: subsequent sections

3. Page 1, line 17.

Following: "suggestion"

Insert: ", or upon motion of a party, "

Following: "of"

Insert: "all"

4. Page 1, lines 17 and 18.

Strike: "or upon motion of both parties,"

5. Page 2, line 5.

Strike: line 5

6. Page 3.

Following: line 4

Insert: "(3) After a successful mediation, the results of the mediation and any agreement reached by the parties to the mediation are subject to the approval of the court."

7. Page 3, line 22.

Strike: "the second "prosecution"

Insert: "public defender"

8. Page 3, line 25.

Strike: "6"

Insert: "7"

9. Page 3, line 26.

Strike: "6"

Insert: "7"

And, as amended, do pass. Report adopted.

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HB 695, introduced bill, be amended as follows:

1. Page 2, line 5.
Strike: "or disabled"
2. Page 2, line 6.
Strike: "or disabled"
3. Page 2, line 7.
Strike: "or disabled"

And, as amended, do pass. Report adopted.

HB 723, do pass. Report adopted.

HB 742, introduced bill, be amended as follows:

1. Page 3, line 17.
Strike: "and"
2. Page 3, line 18.
Following: ";"
Insert: "and"
(vi) whether the statement is testimonial or nontestimonial in character; and"
3. Page 3, lines 19 through 22.
Strike: subsection (d) in its entirety
Renumber: subsequent subsection

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

2/23/2007

HB 729, introduced bill, be amended as follows:

1. Page 1, line 16.
Strike: "and"
2. Page 1, line 18.
Strike: "."
Insert: ";"
3. Page 1.
Following: line 18
Insert: "(d) has between September 1 and December 31 of each year published a sworn United States postal service periodicals-class statement of ownership and circulation or a statement of ownership and circulation verified by a recognized, independent circulation auditing agency covering a period of at least 1 year ending no earlier than June 30 preceding the publication deadline; and
(e) has submitted to the county clerk and recorder, subsequent to filing the sworn statement required under subsection (1)(d), a filing containing the newspaper's name, address of its known office of issue, and telephone number and a statement that it has complied with the requirements of this section. The clerk and recorder shall make the list of newspapers that have filed available for public inspection."

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And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

2/23/2007

HB 345, do pass. Report adopted.

HB 466, introduced bill, be amended as follows:

1. Page 2, line 3 through line 5.

Strike: "A" on line 3 through "45-2-302(3)(b)(ii)" on line 5

Insert: "A passenger in a vehicle described in subsection (1)(a) who knowingly or purposely fails to make a timely report as provided in 45-2-302(3)(b)(ii) is accountable for the conduct of the operator of the motor vehicle, as provided in 45-2-302(2)"

2. Page 2, line 17 through line 19.

Strike: "A" on line 17 through "45-2-302(3)(b)(ii)" on line 19

Insert: "A passenger in a vehicle described in subsection (1)(a) who knowingly or purposely fails to make a timely report as provided in 45-2-302(3)(b)(ii) is accountable for the conduct of the operator of the motor vehicle, as provided in 45-2-302(2)"

And, as amended, do pass. Report adopted.

HB 531, do pass. Report adopted.

HB 608, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: "\$1 million"

Insert: "\$500,000"

And, as amended, do pass. Report adopted.

HB 791, introduced bill, be amended as follows:

1. Title, line 9.

Following: "TRANSFERS"

Insert: "AND THE SPENDING FROM CERTAIN APPROPRIATIONS"

2. Title, line 10.

Following: "APPROPRIATIONS"

Insert: "AND THE SPENDING OF CERTAIN APPROPRIATIONS"

3. Page 1, line 21.

Following: "appropriations"

Insert: "and the spending associated with certain one-time-only state general fund appropriations exceeding \$1 million"

4. Page 1, line 24.

Following: "2009,"

Insert: "before considering the impacts of Senate Bill No. 137"

5. Page 1, line 25.

Following: "million"

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Strike: "or when"

Insert: ", if supplemental appropriations, including appropriations for wildfire costs, are anticipated to exceed \$75 million, if revenue decreases by 20% or more, or if"

6. Page 2, line 2.

Following: "appropriations"

Insert: "and the spending associated with certain one-time-only general fund appropriations"

7. Page 2, line 4.

Following: "appropriations"

Insert: "and the spending associated with certain one-time-only general fund appropriations"

Following: "impact of"

Strike: "transfer"

8. Page 2, line 5.

Following: "Transfer"

Insert: "and certain appropriation spending"

9. Page 2, line 11.

Following: "transfer"

Insert: "and spending"

10. Page 2, line 12.

Following: "transfers"

Insert: "and spending from certain appropriations"

11. Page 2, line 14.

Following: "governor"

Strike: remainder of line 14

Insert: "shall give priority to the following transfers and spending from certain appropriations as follows:"

12. Page 2, line 20.

Following: "transfers"

Insert: "and the spending from certain appropriations"

13. Page 2, line 25.

Following: "5"

Strike: "and"

Insert: ", "

14. Page 2, line 26.

Following: "14"

Strike: ". "

Insert: ", House Bill No. 93, House Bill No. 130, House Bill No. 296, House Bill No. 473, and House Bill No. 539. The spending associated with certain one-time-only state general fund appropriations exceeding \$1 million referred to in this section are those contained in [LC 2197], [LC 2198], [LC 2237], [LC 2238], [LC 2239], and [LC 2241]. "

And, as amended, do pass. Report adopted.

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STATE ADMINISTRATION (Himmelberger, Chairman):
HB 679, introduced bill, be amended as follows:

2/21/2007

1. Page 6, line 4.

Following: "employee"

Insert: ", except an employee of the university system"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/22/2007

SB 55, introduced by Ryan

SB 63, introduced by Cobb

SB 68, introduced by Wanzenried

SB 79, introduced by Laible

SB 112, introduced by Lewis

SB 114, introduced by Larson

SB 127, introduced by Wanzenried

SB 155, introduced by Williams

SB 243, introduced by Balyeat

SB 246, introduced by Gallus

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 810, introduced by Wells, referred to Appropriations.

HB 811, introduced by Wells, referred to Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 590 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 47

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Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 609 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Boggio, Kasten, Koopman, Peterson, Rice.

Total 5

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 624, requiring a two-thirds vote of each House, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 641 passed as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Driscoll, Ebinger, Erickson,

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Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Olson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte.

Total 64

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Callahan, Cohenour, Cordier, Dickenson, Dutton, Everett, French, Hawk, Hilbert, Himmelberger, Ingraham, W. Jones, Kasten, Lake, MacLaren, McGillvray, Milburn, Nooney, O'Hara, Parker, Peterson, Pomnichowski, Sinrud, Sonju, Stoker, Taylor, Thomas, Wilson, Mr. Speaker.

Total 35

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 657 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman, McGillvray.

Total 3

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 664 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

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Noes: None.
Total 0

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 681 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Boggio, Clark, Koopman, Mendenhall, Ripley, Vincent.
Total 6

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 724 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 87

Noes: Everett, Hawk, Himmelberger, Jore, Kerns, Koopman, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 12

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

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HJR 25 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 94

Noes: Erickson, Musgrove, Taylor, Van Dyk, Wiseman.
Total 5

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced Republicans would stand at ease. House reconvened at 1:05 p.m. Representative Wilson, Representative Callahan and Representative Parker were excused at this time.

MOTIONS

Majority Leader Lange moved **HB 610** be moved from the Committee on Natural Resources and be rereferred to the Committee on Federal Relations, Energy and Telecommunications. There being no objections, so ordered.

Majority Leader Lange moved **HB 631** be moved from the Committee on Natural Resources and be rereferred to the Committee on Federal Relations, Energy and Telecommunications. There being no objections, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kerns in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 713 - Representative McGillvray moved **HB 713** do pass.

HB 713 - Representative McGillvray moved **HB 713**, second reading copy, be amended as follows:

1. Title, line 6.
Strike: "SECTION"
Insert: "SECTIONS"
Following: "42-2-409"
Insert: "AND 42-7-105"

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2. Page 3, line 9.

Following: line 8

Insert: "Section 3. Section 42-7-105, MCA, is amended to read:

"42-7-105. Prohibited activities -- violations -- penalties. (1) A person, other than the department or a licensed child-placing agency, may not:

(a) advertise in any public medium that the person:

(i) knows of a child who is available for adoption; or

(ii) is willing to accept a child for adoption or knows of prospective adoptive parents for a child; or

(b) engage in placement activities as defined in 52-8-101.

(2) An individual other than an extended family member or stepparent of a child may not obtain legal or physical custody of a child for purposes of adoption unless the individual has a favorable preplacement evaluation or a court-ordered waiver of the evaluation.

(3) A person who, as a condition for placement, relinquishment, or consent to the adoption of a child, knowingly offers, gives, agrees to give, solicits, accepts, or agrees to accept from another person, either directly or indirectly, anything other than the fees allowed under 42-7-101 commits the offense of paying or charging excessive adoption process fees.

(4) It is illegal to require repayment or reimbursement of anything provided to a birth parent under 42-7-101. All payments by the adoptive parent made on behalf of a birth parent pursuant to this section are considered a gift to the birth parent.

(5) Nothing in this section prohibits a licensed child-placing agency from maintaining a separate program for the assistance of a biological parent who is in need of postadoptive counseling and support as provided in [section 1]. Services must be provided based on need and may not be contingent on a placement being made privately, by the department, or by a licensed child-placing agency. A postadoptive counseling and support program may not be used to induce a biological parent to place a child for adoption.

~~(5)~~(6) A person convicted of the offense of paying or charging excessive adoption process fees, attempting to recover expenses incurred from an adoption process, or otherwise violating this title may be fined an amount not to exceed \$10,000 in an action brought by the appropriate city or county attorney. The court may also enjoin from further violations any person who violates this title.""

Renumber: subsequent section

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 95

Noes: Callahan, Gallik, Wilson, Wiseman.

Total 4

Voted Absentee: Ward, Aye; Callahan, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: Musgrove.

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Total 1

HB 713 - The motion to pass **HB 713**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 86

Noes: Bergren, Callahan, Clark, Driscoll, Franklin, Gallik, Hands, W. Jones, Jore, Parker, Peterson, Wilmer, Wilson, Wiseman.

Total 14

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 492 - Representative Himmelberger moved **HB 492** do pass.

HB 492 - Representative Himmelberger moved **HB 492**, second reading copy, be amended as follows:

1. Title, line 4.

Following: "FOR"

Insert: "CERTAIN"

2. Page 1, line 29.

Strike: "employees who customarily receive tips or gratuities in their employment"

Insert: "food and beverage servers who wait on tables in full-service restaurants"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy

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Boy, Wiseman.
Total 48

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 492 - The motion to pass **HB 492**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

HB 712 - Representative Jore moved **HB 712** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

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Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 372 - Representative Ingraham moved **HB 372** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 87

Noes: Beck, Blasdel, Campbell, French, Jore, Kasten, Koopman, Morgan, Wells, Wilmer, Wiseman.

Total 11

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Caferro, Sonju.

Total 2

HB 354 - Representative Caferro moved **HB 354** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Himmelberger, Jore, Kasten, Kerns, Koopman, Morgan, Ripley, Sinrud, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 113 - Representative McChesney moved **HB 113** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy.
Total 73

Noes: Becker, Bergren, Blasdel, Boggio, Butcher, Erickson, Everett, Hawk, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, MacLaren, McGillvray, Peterson, Sinrud, Sonju, Stoker, Taylor, Ward, Wiseman, Witte, Mr. Speaker.
Total 26

Voted Absentee: Callahan, Parker, Wilson, Ayes; Ward, No.

Excused: None.
Total 0

Absent or not voting: Mendenhall.
Total 1

HB 559 - Representative Heinert moved **HB 559** do pass.

HB 559 - Representative Heinert moved **HB 559**, second reading copy, be amended as follows:

1. Page 6, line 2.
Following: "by the"
Insert: "ratio of the"
Following: "year"
Insert: "to the inflation factor for tax year 2007"

2. Page 6, line 6.
Following: "by the"
Insert: "ratio of the"
Following: "year"
Insert: "to the inflation factor for tax year 2007"

3. Page 6, line 9 through line 10.
Strike: subsection (c) in its entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 99

Noes: Wiseman.

Total 1

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 559 - The motion to pass **HB 559**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 98

Noes: Dickenson, Wiseman.

Total 2

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 570 - Representative Cohenour moved **HB 570** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

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Noes: Becker.
Total 1

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: Himmelberger, Stahl.
Total 2

HB 97 - Representative Barrett moved **HB 97** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 87

Noes: Becker, Callahan, Gallik, Hiner, Jayne, Jopek, McAlpin, Parker, Phillips, Raser, Van Dyk, Wilson, Wiseman.
Total 13

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 205 - Representative Everett moved **HB 205** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 259 - Representative Reinhart moved **HB 259** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Blasdel, Boggio, Hawk, Kasten, Kerns.
Total 5

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

HB 270 - Representative Lange moved **HB 270** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Gallik, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jayne, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 45

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 340 - Representative Wells moved **HB 340** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 48

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.
Total 0

Absent or not voting: Hilbert, Lake.
Total 2

HB 423 - Representative K. Peterson moved **HB 423** do pass. Motion carried as follows:

Ayes: Arntzen, Becker, Bixby, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, W. Jones, Kerns, Kottel, Lake, Lange, MacLaren, McGillvray, McNutt, Milburn, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Stoker, Taylor, Thomas, Villa, Ward, Wilmer, Wilson.
Total 56

Noes: Ankney, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Caferro, Campbell, Gallik, Groesbeck, Heinert, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Lambert, Malcolm, McAlpin, McChesney, Mendenhall, Morgan, Musgrove, Noonan, Rice, Ripley, Sesso, Sinrud, Sonju, Stahl, Van Dyk, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 44

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 537 - Representative Ripley moved **HB 537** do pass.

HB 537 - Representative Villa moved **HB 537**, second reading copy, be amended as follows:

1. Page 2, line 23.

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Strike: "\$50"

Insert: "\$60"

2. Page 2, line 24.

Strike: "\$76"

Insert: "\$84"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 80

Noes: Beck, Blasdel, Boggio, Cohenour, Dutton, Everett, French, Heinert, Hilbert, Jore, Kasten, Keane, Koopman, McChesney, Mendenhall, Ross, Sinrud, Sonju, Wells.

Total 19

Voted Absentee: Callahan, Parker, Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 537 - The motion to pass **HB 537**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 87

Noes: Callahan, Dickenson, Heinert, Jore, Keane, Kerns, Koopman, McChesney, Mendenhall, Parker, Wilson, Windy Boy, Wiseman.

Total 13

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 217 - Representative Lange moved **HB 217** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Beck, Blasdel, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, French, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 60

Noes: Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Driscoll, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Jacobson, L. Jones, Jopek, Keane, McAlpin, McChesney, Mendenhall, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Reinhart, Ripley, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 40

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 564 - Representative McGillvray moved **HB 564** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lange moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wilmer.

Total 75

Noes: Augare, Becker, Cohenour, Dickenson, Erickson, Furey, Groesbeck, Jayne, Jore, Keane, Koopman, Rice, Van Dyk, Villa, Wells, Windy Boy, Wiseman.

Total 17

Excused: Callahan, Parker, Ward, Wilson.

Total 4

Absent or not voting: Hilbert, Kerns, Witte, Mr. Speaker.

Total 4

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Speaker Sales in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 440 - Representative Barrett moved **HB 440** do pass.

HB 440 - Representative Barrett moved **HB 440**, second reading copy, be amended as follows:

1. Page 1, line 27.

Strike: "The department shall revise"

Insert: "As part of the department's routine evaluation of"

2. Page 1, line 27 through line 28.

Following: "plan" on line 27

Strike: remainder of line 27 through "must" on line 28

Insert: ", the department shall"

3. Page 2, line 1 through line 6.

Strike: section (b) in its entirety

Renumber: subsequent subsections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross,

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Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 91

Noes: Callahan, Parker, Villa, Wilson, Wiseman.

Total 5

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: Campbell, Lange, Noonan, Sands.

Total 4

HB 440 - The motion to pass **HB 440**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 89

Noes: Bixby, Callahan, Driscoll, Grinde, Jayne, Noonan, Parker, Villa, Wilson, Wiseman.

Total 10

Voted Absentee: Ward, Aye; Callahan, Parker, Wilson, Noes.

Excused: None.

Total 0

Absent or not voting: Small-Eastman.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Lange moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 87

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Noes: Becker, Jayne, Noonan, Wiseman.
Total 4

Excused: Callahan, Parker, Ward, Wilson.
Total 4

Absent or not voting: Branae, Himmelberger, Small-Eastman, Thomas, Van Dyk.
Total 5

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 738, introduced bill, be amended as follows:

2/23/2007

1. Title, line 7 through line 8.

Strike: "WEIGHTED" on line 7 through "INSURERS" on line 8

Insert: "AVERAGE OF THE CONVERSION FACTORS USED BY THE TOP FIVE INSURERS OR THIRD-PARTY ADMINISTRATORS"

2. Page 2, line 1.

Following: the second "within"

Strike: "2"

Insert: "5"

3. Page 2, line 4.

Strike: "2"

Insert: "5"

4. Page 2, following line 5.

Insert: "(c) The time period for closure of a claim provided for in subsection (3)(a) or (3)(b) is tolled while there is a dispute regarding whether benefits are due under the claim if a party to the dispute has requested mediation pursuant to department rules. The tolling of the time period continues until the 2-year limitation period of 39-71-2905 expires or there is a final judicial decision regarding the dispute, whichever is later. However, the tolling of the time period ceases if the parties otherwise resolve the dispute."

5. Page 2, line 13.

Following: "court."

Insert: "A claimant must be given 60 days' notice prior to the termination of a claim or benefits under this chapter."

6. Page 4, line 25.

Following: "insurer"

Strike: "is"

Insert: "and an injured worker are"

7. Page 4, line 15.

Strike: "weighted average of the reimbursement rate used by domestic insurers"

Insert: "average of the conversion factors used by the top five insurers or third-party administrators"

8. Page 4, line 16.

Following: "services."

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Insert: "The top five insurers or third-party administrators shall provide their standard conversion rates to the department. The department may use the conversion rates only for the purpose of determining average conversion rates under this subsection (2), and the department shall maintain the confidentiality of the conversion rates."

9. Page 7, line 4.

Following: "Applicability."

Insert: "(1)"

Following: "39-71-704(1)(f)"

Insert: "and (3)"

10. Page 7, following line 5.

Insert: "(2) Section 39-71-704(2) applies to medical services furnished on or after July 1, 2007."

And, as amended, do pass. Report adopted.

HB 756, do pass. Report adopted.

HB 764, introduced bill, be amended as follows:

1. Title, line 7 through line 8.

Strike: "ON" on line 7 through "INSTALLATION" on line 8

Insert: "LOCATED"

2. Title, line 12.

Strike: "ON A MILITARY INSTALLATION"

Insert: "TO ACTIVE DUTY MEMBERS OF THE ARMED FORCES"

3. Page 2, line 7 through line 8.

Strike: "while" on line 7 through "state" on line 8

4. Page 2, line 12.

Strike: "on a military installation"

Insert: "to active duty members of the armed forces"

5. Page 2, line 16.

Strike: "on a military installation"

Insert: "located"

6. Page 2, line 19.

Strike: "on a military installation"

Insert: "to active duty members of the armed forces"

7. Page 2, line 22.

Strike: "on a military installation"

Insert: "to active duty members of the armed forces"

8. Page 2, line 27.

Strike: "while on a military installation"

And, as amended, do pass. Report adopted.

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HB 790, introduced bill, be amended as follows:

1. Page 2, line 15.

Following: "II,"

Insert: "and Rate Class 2, Schedule I,"

2. Page 3, line 4.

Strike: "created"

3. Page 5, line 27.

Strike: "1.17"

Insert: "1.12"

Strike: "1.37"

Insert: "1.32"

Strike: "1.57"

Insert: "1.52"

Strike: "1.77"

Insert: "1.72"

4. Page 6, line 17.

Strike: "5.12"

Insert: "4.92"

5. Page 6, line 18.

Strike: "5.12"

Insert: "4.92"

Strike: "5.32"

Insert: "5.12"

6. Page 6, line 24.

Strike: "(.0175)"

Insert: "(.0170)"

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

2/23/2007

HB 643, do pass. Report adopted.

HB 768, introduced bill, be amended as follows:

1. Page 1, line 18.

Strike: "(a)"

2. Page 1, line 21.

Following: "."

Insert: "The insurance must provide coverage for the length of time provided for in 27-2-205."

3. Page 1, lines 22 and 23.

Strike: subsection (b) in its entirety

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And, as amended, do pass. Report adopted.

HB 781, introduced bill, be amended as follows:

1. Title, line 4.

Following: "REQUIRING"

Insert: "EACH LAW ENFORCEMENT AGENCY TO ADOPT A POLICY ON RACE-BASED TRAFFIC STOPS, INCLUDING"

2. Title, line 5.

Strike: "PROVIDING FOR REPORTS BASED UPON THE DATA;"

3. Page 1, line 10 through page 3, line 5.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3.

Following: line 13

Insert: "(3) Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(a) prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(b) provides for periodic reviews by the law enforcement agency and collection of data that determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency;

(c) if the review under subsection (3)(b) reveals a pattern, requires an investigation to determine whether any peace officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law."

Renumber: subsequent subsections

5. Page 3, line 17.

Strike: "[section 1]"

Insert: "subsection (3) of this section"

6. Page 3.

Following: line 29

Insert: "(6) Each law enforcement agency may provide for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within 90 days of the review. The course or courses of instruction and the guidelines must stress understanding and respect for racial and cultural differences and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment."

Renumber: subsequent subsections

7. Page 4, line 3.

Strike: "[section 1] and"

8. Page 4, lines 12 and 13.

Strike: section 3 in its entirety

Renumber: subsequent section

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And, as amended, do pass. Report adopted.

HJR 43, be adopted. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):
HB 740, introduced bill, be amended as follows:

2/23/2007

1. Title, page 1, line 5.

Strike: "AMENDING SECTION 10-2-501, MCA"

Insert: "PROVIDING AN EFFECTIVE DATE"

2. Page 1.

Following: line 7

Strike: everything after the enacting clause

"NEW SECTION. **Section 1. State military headstone allowance.** (1) Subject to the provisions of this section, the state shall reimburse the actual cost, not to exceed \$300, of a headstone or marker for an eligible Montana national guard veteran, as defined in subsection (2).

(2) An eligible Montana national guard veteran is a person, who at the time of the person's death:

(a) is a resident of the state;

(b) is entitled to receive a military retirement allowance for service that includes service in the Montana national guard; and

(c) does not meet the eligibility criteria for a federal government headstone or marker pursuant to 38 U.S.C. 2306.

(3) The board shall administer the provisions of this section."

Insert: "NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 10, chapter 2, part 5, and the provisions of Title 10, chapter 2, part 5, apply to [section 1]."

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 765, do pass. Report adopted.

HB 771, introduced bill, be amended as follows:

1. Page 6, line 6.

Strike: "and an annual report"

2. Page 6, line 22.

Strike: "financial"

Insert: "actuarial"

And, as amended, do pass. Report adopted.

HB 783, do pass. Report adopted.

HB 789, do pass. Report adopted.

HB 803, do pass. Report adopted.

HJR 41, be adopted. Report adopted.

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MOTIONS

Majority Leader Lange moved that **HB 354** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

UNFINISHED BUSINESS

HB 756, introduced by L. Jones, the following sponsors were added:

Reps. Arntzen, Augare, Boggio, Dutton, Furey, Heinert, Keane, Klock, Milburn, Reinhart, Stahl, Thomas, Van Dyk, Windy Boy.

HB 764, introduced by Milburn, the following sponsors were added:

Reps. Arntzen, Boggio, Dutton, Heinert, L. Jones, Klock, Mendenhall, Milburn, Stahl.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, February 24, 2007. Motion carried.

House adjourned at 4:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 24, 2007

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Hiner. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Ward and Representative Wilson who were excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 2/23/2007

Correctly printed: **HB 643, HB 756, HB 765, HB 783, HB 789, HB 803, HJR 41, HJR 43.**

Correctly engrossed: **HB 166, HB 216, HB 236, HB 644, HB 738, HB 740, HB 764, HB 768, HB 771, HB 778, HB 781, HB 790, 759, 425, 735.**

Correctly engrossed: **HB 737.** 2/24/2007

HUMAN SERVICES (Stoker, Chairman): 2/24/2007

HB 743, do pass. Report adopted.

HJR 44, be adopted. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman): 2/23/2007

HB 425, introduced bill, be amended as follows:

1. Title, page 1, line 13.

Strike: "76-3-203,"

2. Page 3, line 28.

Strike: "and"

Insert: "or"

3. Page 3, line 28 through page 3, line 29.

Strike: "exempt" on line 28 through "chapter," on line 29

Insert: "not subdivisions under this chapter but"

4. Page 3, line 29.

Following: "76-3-401"

Strike: ", "

Insert: "for divisions or aggregations of land not amounting to subdivision"

5. Page 4, line 3.

Following: "of"

Insert: "a"

Following: "platted"

Strike: "subdivisions,"

Insert: "subdivision that is"

Following: "with"

Insert: "and reviewed under"

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6. Page 5, line 1.

Following: " ; "

Insert: " and "

7. Page 5, line 3.

Strike: " ; and "

Insert: " . "

8. Page 5, line 4 through line 7.

Strike: subsection (e) in its entirety

9. Page 5, line 24 through line 30.

Strike: section 5 in its entirety

Renumber: subsequent sections

10. Page 9, line 3.

Strike: "sections 2 through 4"

Insert: "[section 4(1)(b)]"

Strike: "reasonable"

Following: "time"

Insert: "not to exceed 2 years"

11. Page 9, line 4.

Following: "grantee"

Strike: " , and the "

Insert: " . The "

Strike: "may"

Insert: "must"

Following: "time"

Insert: "for circumstances that are beyond the grantee's control, including but not limited to death, serious illness, or bankruptcy"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

2/21/2007

HB 735, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "AND"

Following: "MCA"

Insert: " ; AND PROVIDING A DELAYED EFFECTIVE DATE "

2. Page 4.

Following: line 6

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2008."

And, as amended, do pass. Report adopted.

HB 737, introduced bill, be amended as follows:

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1. Page 5, line 12.

Strike: "A"

Insert: "Except as provided in subsection (3), a"

2. Page 5, line 14.

Strike: "j1189"

Insert: "j1169"

3. Page 5.

Following: line 16

Insert: "(3) This section does not apply to a motorcycle or quadricycle that is subject to 61-9-418."

And, as amended, do pass. Report adopted.

HB 786, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 812, introduced by Windy Boy, French, Olson, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 98 - Representative Franklin moved **HB 98** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: McNutt.

Total 1

Voted Absentee: Ward, Wilson, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 378 - Representative Windy Boy moved **HB 378** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore, Koopman.
Total 2

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

HB 549 - Representative Himmelberger moved consideration of **HB 549** be placed below **HB 547** on the second reading board. Motion carried.

HB 400 - Representative Villa moved **HB 400** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Jore, Kasten, Koopman, McGillvray, Sinrud, Taylor, Witte, Mr. Speaker.
Total 8

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

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Total 0

Absent or not voting: McAlpin.

Total 1

HB 618 - Representative Sinrud moved **HB 618** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 95

Noes: Hands, Jore, Wiseman.

Total 3

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: MacLaren, Nooney.

Total 2

HB 634 - Representative Van Dyk moved **HB 634** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Kasten, Koopman.

Total 3

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

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HB 727 - Representative Lange moved **HB 727** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Dickenson, Dutton, Ebinger, Everett, Furey, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 68

Noes: Augare, Bergren, Bixby, Branae, Callahan, Cohenour, Cordier, Driscoll, Erickson, Franklin, French, Gallik, Grinde, Groesbeck, Hiner, Hollenbaugh, Jopek, Jore, Keane, Koopman, McAlpin, McChesney, Musgrove, Parker, Raser, Reinhart, Sesso, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 32

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 587 - Representative Himmelberger moved **HB 587** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Clark, Everett, Furey, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 58

Noes: Augare, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Peterson, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 383 - Representative Kerns moved **HB 383** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara,

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Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Clark, Cordier, Dutton, Ebinger, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.

Total 73

Noes: Augare, Becker, Branae, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Furey, Gallik, Jayne, Musgrove, Raser, Small-Eastman, Van Dyk, Villa, Wilmer, Wiseman.

Total 19

Excused: Ward, Wilson.

Total 2

Absent or not voting: Bixby, Hollenbaugh, Keane, McChesney, McNutt, Parker.

Total 6

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 97 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh,

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Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 89

Noes: Becker, Callahan, Grinde, Jayne, Jopek, McAlpin, Phillips, Wilson, Wiseman.

Total 9

Voted Absentee: Wilson, No.

Excused: Ward.

Total 1

Absent or not voting: Beck.

Total 1

HB 113 passed as follows:

Ayes: Ankney, Arntzen, Augare, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy.

Total 65

Noes: Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Erickson, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, McGillvray, Musgrove, Nooney, Peterson, Rice, Sinrud, Sonju, Stoker, Taylor, Wiseman, Witte, Mr. Speaker.

Total 34

Voted Absentee: Wilson, Aye.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 205 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Wilson, No.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 217 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Butcher, Caferro, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, French, Furey, Glaser, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Raser, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 61

Noes: Becker, Bergren, Boggio, Branae, Callahan, Campbell, Cohenour, Driscoll, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hiner, Jacobson, L. Jones, Jopek, Keane, Malcolm, McAlpin, McChesney, Mendenhall, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Villa, Wilson, Wiseman.

Total 38

Voted Absentee: Wilson, No.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 259 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Kerns, McChesney, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Wilson, Aye.

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Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 270 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Gallik, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 48

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 51

Voted Absentee: Wilson, No.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 372 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 90

Noes: Barrett, Blasdel, Campbell, Jore, Kasten, Koopman, Morgan, Wells, Wiseman.
Total 9

Voted Absentee: Wilson, Aye.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

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HB 423 passed as follows:

Ayes: Arntzen, Becker, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Jacobson, W. Jones, Kerns, Lake, Lange, MacLaren, Malcolm, McGillvray, McNutt, Milburn, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sinrud, Small-Eastman, Stoker, Taylor, Thomas, Villa, Wells, Wilson, Mr. Speaker.

Total 55

Noes: Ankney, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Caferro, Campbell, Gallik, Glaser, Grinde, Groesbeck, Hands, Hollenbaugh, Ingraham, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lambert, McAlpin, McChesney, Mendenhall, Morgan, Musgrove, Olson, Rice, Ripley, Sesso, Sonju, Stahl, Van Dyk, Vincent, Wilmer, Windy Boy, Wiseman, Witte.

Total 44

Voted Absentee: Wilson, Aye.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 564 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Voted Absentee: Wilson, No.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 570 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Wilson, Aye.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 712 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Wilson, No.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 741 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

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Total 89

Noes: French, Groesbeck, Jopek, Jore, Koopman, Mendenhall, Milburn, Villa, Wilson, Wiseman.

Total 10

Voted Absentee: Wilson, No.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 555 - Representative Grinde moved **HB 555** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Sonju, Stahl, Witte, Mr. Speaker.

Total 25

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Driscoll, Sinrud.

Total 2

HB 663 - Representative Villa moved **HB 663** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, Morgan, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross,

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Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, Olson, Peterson, Rice, Ripley, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 39

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 785 - Representative Lange moved **HB 785** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Mr. Speaker.

Total 77

Noes: Augare, Bergren, Bixby, Caferro, Cordier, Franklin, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jayne, W. Jones, Jopek, Kottel, McAlpin, Reinhart, Small-Eastman, Windy Boy, Wiseman, Witte.

Total 23

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 667 - Representative O'Hara moved **HB 667** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hilbert, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Kottel, Lake, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Villa, Vincent, Ward, Wilmer, Wilson.

Total 62

Noes: Barrett, Bergren, Callahan, Clark, Everett, Franklin, Gallik, Hands, Hawk, Hendrick, Himmelberger, Hiner,

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Jayne, Jopek, Jore, Kasten, Klock, Koopman, Lambert, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Olson, Reinhart, Rice, Ripley, Sinrud, Stoker, Taylor, Van Dyk, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 37

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Becker.

Total 1

HJR 42 - Representative Wilmer moved **HJR 42** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.
Total 71

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Jore, Kasten, Kerns, Lake, Lambert, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 28

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Windy Boy.

Total 1

HB 283 - Representative Campbell moved **HB 283** do pass.

HB 283 - Representative Windy Boy moved **HB 283**, second reading copy, be amended as follows:

1. Page 1, line 22.

Following: "OF"

Strike: "\$1,600"

Insert: "\$3,024"

Amendment adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa,

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Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 48

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 283 - The motion to pass **HB 283** as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 65

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Witte, Mr. Speaker.
Total 35

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 364 - Representative Malcolm moved **HB 364** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 79

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Noes: Bixby, Branae, Callahan, Cohenour, Dickenson, Everett, Franklin, Grinde, Hawk, Ingraham, Jacobson, Jayne, Jopek, Jore, Kasten, Koopman, Raser, Sands, Wells, Wilson, Wiseman.

Total 21

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Representative Sands moved **HB 462** do pass.

HB 462 - Representative Sands moved **HB 462**, second reading copy, be amended as follows:

1. Page 1, line 19 through line 23.

Strike: subsection (3) in its entirety

Insert: "(3) A successful candidate for the legislature or for a state office who, during the individual's term of office, receives funds as a result of a public event or function that was related to or because of the office shall, within 90 days after the conclusion of the event or function, either deposit the funds in a constituent services account and comply with the provisions of this section or donate the funds to a nonprofit organization for a charitable purpose.

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Representative Sands moved **HB 462**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan,

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Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Caferro, Jore, Kerns, Koopman, McGillvray, Mendenhall, Peterson, Stahl, Wells.

Total 9

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 533 - Representative Ankney moved **HB 533** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 95

Noes: Franklin, Gallik, McAlpin, Wilson, Wiseman.

Total 5

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 547 - Representative Lange moved consideration of **HB 547** be passed for the day. Motion carried.

HB 549 - Representative Himmelberger moved **HB 549** do pass.

HB 549 - Representative Sales moved consideration of **HB 549** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 668 - Representative Stahl moved **HB 668** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 93

Noes: Jayne, Jore, Kerns, Koopman, Rice, Wiseman.

Total 6

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

HB 715 - Representative Olson moved **HB 715** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Dickenson, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 70

Noes: Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Small-Eastman, Van Dyk, Wilmer, Wilson, Wiseman.

Total 30

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 40 - Representative Windy Boy moved **HJR 40** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Everett, Hawk, Jore, Koopman, McGillvray, Mendenhall.

Total 6

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Hilbert, Himmelberger, Mr. Speaker.

Total 3

HB 687 - Representative W. Jones moved **HB 687** do pass.

HB 687 - Representative W. Jones moved **HB 687**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Strike: "4"

Insert: "7"

2. Page 1, line 14.

Strike: "4"

Insert: "7"

3. Page 2, line 10.

Strike: "4"

Insert: "7"

4. Page 3, line 6.

Strike: "4"

Insert: "7"

5. Page 5, line 28.

Strike: "4"

Insert: "7"

6. Page 9, line 11.

Strike: "4"

Insert: "7"

Amendment adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker,

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Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 67

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Ward, Wells, Mr. Speaker.

Total 33

Voted Absentee: Wilson, Aye; Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 687 - Representative W. Jones moved **HB 687** as amended, do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 72

Noes: Barrett, Beck, Blasdel, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Mr. Speaker.

Total 28

Voted Absentee: Wilson, Aye; Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 683 - Representative Reinhart moved **HB 683** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 662 - Representative Villa moved **HB 662** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 37

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

HB 690 - Representative Bergren moved **HB 690** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Everett, Hawk, Mendenhall, Rice, Ripley.

Total 5

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Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 460 - Representative Keane moved **HB 460** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 82

Noes: Becker, Bixby, Caferro, Cordier, Dickenson, Erickson, Franklin, Gallik, Grinde, Hollenbaugh, Jopek, McAlpin, Musgrove, Phillips, Pomnichowski, Reinhart, Wilmer, Wiseman.

Total 18

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 31 - Representative Everett moved **HJR 31** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 76

Noes: Becker, Bixby, Callahan, Cohenour, Erickson, Franklin, Gallik, Groesbeck, Hands, Hollenbaugh, Jopek, Mendenhall, Raser, Van Dyk, Villa, Wiseman.
Total 16

Excused: Ward, Wilson.
Total 2

Absent or not voting: French, Jacobson, Lambert, McNutt, Morgan, Stahl.
Total 6

Majority Leader Lange moved the house stand at recess until 12:00 p.m. House reconvened at 12:00 p.m.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman): 2/24/2007
HB 688, do pass. Report adopted.

AGRICULTURE (Butcher, Chairman): 2/23/2007
HB 726, introduced bill, be amended as follows:

1. Title, line 5 through line 8.
Strike: "DIRECTING" on line 5 through "DISASTER;" on line 8
Insert: "AND"
2. Title, line 9 through line 10.
Strike: ";" on line 9 through "DATES" on line 10
3. Page 1, line 14 through page 3, line 7.
Strike: section 1 in its entirety
Renumber: subsequent sections
4. Page 4, line 27.
Following: "(a)"
Insert: "(i)"

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Strike: "Companion"

Insert: "It is considered "companion"

Strike: "means"

Insert: "if all of the following elements exist"

5. Page 4, line 28.

Strike: "(i)"

Insert: "(A)"

Strike: "10"

Insert: "20"

Renumber: subsequent subsections

6. Page 5.

Following: line 3

Insert: "(ii) The term does not include purebred animal breeding facilities or facilities for animals related to sanctioned endurance races."

7. Page 5, line 8 through line 13.

Strike: sections 3 and 4 in their entirety

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

2/24/2007

HB 164, introduced bill, be amended as follows:

1. Page 4, line 29 through page 5, line 4.

Strike: subsection (j) in its entirety

Insert: "(j) for a volunteer in a school district with services being provided pursuant to [section 1], 50% of the amount of deferred salary based on a reasonable estimate of an amount, set by the board of trustees, that the school district would have otherwise paid to nonvolunteers in wages."

2. Page 6, line 17.

Following: "applies to"

Insert: ": (1)"

Following: "act]"

Insert: "; and

(2) tax years beginning after December 31, 2007"

And, as amended, do pass. Report adopted.

HB 465, do pass. Report adopted.

HB 515, introduced bill, be amended as follows:

1. Page 3, line 25.

Strike: "2"

Insert: "3"

2. Page 4, line 27.

Following: "district"

Insert: "using the count of pupils who were enrolled in distance learning courses that comply with subsection (1) as

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of the first Monday in October of the prior school fiscal year and on February 1 of the prior school fiscal year or on the next school day if those dates do not fall on a school day"

Following: "district."

Strike: "The" through "(3)(b)."

3. Page 4, line 29.

Following: "for"

Insert: "each pupil enrolled in"

4. Page 4, line 30.

Following: "for"

Insert: "each pupil enrolled in"

And, as amended, do pass. Report adopted.

HB 672, do pass. Report adopted.

HB 702, do pass. Report adopted.

HB 732, introduced bill, be amended as follows:

1. Title, line 10.

Following: "ACCOUNT;"

Insert: "PROVIDING AN APPROPRIATION;"

Strike: "AN IMMEDIATE"

Strike: "DATE"

Insert: "DATES"

2. Page 5, line 7.

Insert: "NEW SECTION. Section 6. Appropriation. There is appropriated \$5,000 from the general fund for the 2009 biennium to the department of commerce for deposit in the account in [section 5] for the purposes of [sections 1 through 5]"

Renumber: subsequent sections

3. Page 5, line 11.

Strike: "date"

Insert: "dates"

Following: "applicability."

Strike: "[This"

Insert: "(1) Except as provided in subsection (2), [this"

4. Page 5, line 13.

Insert: "(2) [Section 6] is effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 744, introduced bill, be amended as follows:

1. Title, lines 4 through 7.

Following: "LAWS;" on line 4

Strike: remainder of line 4 through "DISTRICT;" on line 7

Strike: "THE" on line 7

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Insert: "A"

2. Title, lines 8 and 9.

Following: "DISTRICT;" on line 8

Strike: remainder of line 8 through "RESOLUTION;" on line 9

Strike: "SECTIONS 20-6-104 AND"

Insert: "SECTION"

3. Title, line 10.

Strike: "AND AN APPLICABILITY DATE"

4. Page 1, line 14 through page 3, line 4.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

5. Page 3, line 8.

Following: "(1)"

Insert: "(a)"

Strike: "20-6-104,"

6. Page 3, line 9.

Following: "20-6-308,"

Strike: "and"

Following: "20-6-322,"

Insert: "and subsection (1)(b) of this section,"

7. Page 3, line 11.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsections

8. Page 3, line 20.

Following: line 19

Insert: "(b) A petition to transfer territory to or from a K-12 district may not be presented to a county superintendent unless both school boards and the county superintendents have agreed in writing."

9. Page 6, lines 7 through 11.

Strike: sections 4 and 5 in their entirety

Renumber: subsequent section

10. Page 6, line 13.

Strike: "-- applicability"

11. Page 6, line 14.

Strike: "and applies to the creation of new districts on or after [the effective date of this act]"

And, as amended, do pass. Report adopted.

HB 761, do pass. Report adopted.

HB 769, do pass. Report adopted.

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HJR 39, introduced joint resolution, be amended as follows:

1. Page 2, line 1.

Strike: line 1 in its entirety

Renumber: subsequent subsections

And, as amended, be adopted. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 2/24/2007

HB 610, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman): 2/24/2007

HB 92, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "greatest"

2. Page 1, line 21.

Strike: "solve"

Insert: "recommend solutions to"

3. Page 1, line 23.

Following: "informing"

Strike: ", "

Insert: "and"

Following: "educating"

Strike: ", and empowering"

4. Page 1, line 24.

Strike: "mobilizing"

Insert: "coordinating"

5. Page 1, line 26.

Following: "(vi)"

Insert: "implementing and"

6. Page 1, line 27.

Strike: "ensuring the provision of"

Insert: "assisting with needed"

7. Page 1, line 29.

Strike: "ensuring"

Insert: "to the extent practicable, providing"

8. Page 2, line 2.

Following: "(x)"

Insert: "to the extent that resources are available,"

9. Page 2, line 8.

Strike: "advancing"

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Insert: "implementing"

10. Page 2, line 14.

Strike: "-- partners"

11. Page 2, line 15.

Strike: "strong,"

12. Page 2, line 17 through line 18.

Strike: ", including the department of environmental quality"

13. Page 3, line 21 through line 22.

Strike: "syndrome, symptom," on line 21

Strike: "threat to health" on line 21 through line 22

Insert: "condition"

14. Page 4, line 2.

Strike: "or the environment"

15. Page 4, line 18.

Strike: "ensure"

Insert: "promote"

16. Page 5, line 8.

Following: "system"

Insert: "to protect and promote the public health"

17. Page 5, line 9.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

18. Page 6, line 16.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

19. Page 6, line 17.

Following: "tracking"

Insert: "and investigation"

20. Page 6, line 24.

Strike: "techniques"

Insert: "public health measures as allowed by law"

21. Page 6, line 25.

Strike: "partners"

Insert: "entities"

22. Page 6, line 28.

Following: "bring"

Insert: "and pursue"

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23. Page 7, line 2.

Following: "develop"

Insert: ", "

Strike: "and"

Following: "administer"

Insert: ", and promote"

24. Page 7, line 3.

Strike: "participation in and"

Insert: "the"

25. Page 8, line 6.

Strike: "enact or"

26. Page 8, line 24.

Strike: "necessary"

27. Page 8, line 29.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

28. Page 8, line 30.

Following: "tracking"

Insert: "and investigation"

29. Page 9, line 5.

Strike: "administrative"

30. Page 9, line 8.

Strike: "techniques"

Insert: "public health measures as allowed by law"

31. Page 9, line 14.

Following: "bring"

Insert: "and pursue"

32. Page 11, line 12.

Following: "representatives"

Insert: "or their authorized representatives"

33. Page 11, line 21.

Strike: "and"

34. Page 11, line 27.

Strike: "enacted"

Insert: "adopted"

Following: " ; "

Insert: "and"

35. Page 12, line 2.

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Strike: "file a complaint"

Insert: "pursue action"

And, as amended, do pass. Report adopted.

HB 359, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Page 1, line 11.

Strike: "health care providers and"

Following: "laboratories"

Insert: "that directly or indirectly accept payments from medicare, medicaid, the children's health insurance program, or workers' compensation"

3. Page 1, line 12.

Following: "tests"

Insert: ", pursuant to subsection (3), "

4. Page 1, line 14.

Following: "(2)"

Insert: "(a)"

Strike: "Health care providers and clinical"

Insert: "Clinical"

5. Page 1.

Following: line 16

Insert: "(b) A clinical laboratory may not be required to provide a test it does not offer in the normal course of business."

6. Page 1.

Following: line 17

Insert: "(a) must be on a list of approved tests established by the department and developed in consultation with Montana representatives of the American society for clinical laboratory science and the Montana medical association;"

Renumber: subsequent subsections

7. Page 1, line 18 through line 19.

Following: "provided"

Strike: "for the lowest" on line 18 through "cash" on line 19

Insert: "at no more than 120% of the rate paid by medicare for the service and for collection of a specimen for testing and must be paid for"

8. Page 1.

Following: "line 22"

Insert: "(4) Liability under this section is limited to the test itself. There is no liability on the part of and no cause of action may arise against a clinical laboratory for the way in which test results may be interpreted by a patient."

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Renumber: subsequent subsection

9. Page 2, line 2 through line 4.

Strike: subsection (c) in its entirety

Following: line 4

Insert: "(c) "Individual" means a person 18 years of age or older."

And, as amended, do pass. Report adopted.

HB 577, do pass. Report adopted.

HB 617, introduced bill, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "REQUIRING" on line 7 through "OBLIGOR;" on line 8

2. Title, page 1, line 9.

Strike: "AUTHORIZING" on line 9

Insert: "REQUIRING"

3. Title, page 1, line 11.

Following: "DEBT"

Insert: "UNDER CERTAIN CIRCUMSTANCES"

4. Page 2, line 3 through line 5.

Strike: "Upon receipt" on line 3 through "40-5-227." on line 5

5. Page 2, line 26 through line 27.

Strike: subsection (4) in its entirety

Insert: "(4) If the department has filed an abstract pursuant to subsection (1) after issuing a notice of a support debt pursuant to 40-5-222, the department shall petition the district court to find the obligor in contempt if the obligor has not made a payment on the debt in 30 days."

And, as amended, do pass. Report adopted.

HB 622, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "INSURANCE"

Insert: "; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE"

2. Page 2, line 22.

Strike: "demonstrating"

Insert: "that is recognized by the national institutes of health or another applicable governmental body and that demonstrates"

3. Page 3, line 16.

Insert: "NEW SECTION. Section 5. Appropriation. There is appropriated \$100,000 from the state general fund to the state auditor's office for the biennium beginning July 1, 2007, to be used for the review of proposed and existing mandated benefits as provided for in [sections 1 through 4]."

Renumber: subsequent sections

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4. Page 3, line 24.

Insert: "NEW SECTION. Section 8. Effective date. [This act] is effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 734, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "THRESHOLD;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 25 through line 26.

Strike: "The department" on line 25 through "of patients." on line 26

3. Page 3, line 29.

Following: "department"

Insert: ", in collaboration with service area authorities,"

4. Page 3, line 30 through page 4, line 1.

Strike: "; however, mental health services" on page 3, line 30

Insert: ". Services"

Strike: "may not" on page 3, line 30 through "medicaid-eligible individuals" on page 4, line 1

Insert: "must be client-driven and promote recovery"

5. Page 4, line 2.

Following: "benefit"

Insert: ", inpatient psychiatric care, and laboratory services"

6. Page 4, line 20.

Insert: "NEW SECTION. Section 4. Appropriation. There is appropriated from the state general fund to the department of public health and human services \$6,305,210 for the biennium beginning July 1, 2007, to be used for the mental health services plan prescription drug benefits."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 782, do pass. Report adopted.

HJR 33, be adopted. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

2/24/2007

HB 557, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "and taxed"

2. Page 1, line 17.

Following: "commissioners"

Insert: ", as defined by the board of county commissioners, and taxed as class four property as described in 15-6-134"

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And, as amended, do pass. Report adopted.

HB 583, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "82-4-405,"

2. Page 2, line 29.

Strike: "an area immediately adjoining"

Insert: "contiguous to"

3. Page 2, line 30.

Following: "mined"

Insert: "or the access road"

4. Page 3, line 1.

Strike: "within the permit area"

Insert: "on areas referred to in subsections (7)(a) through (7)(c)"

5. Page 3, line 2 through line 3.

Strike: "at or immediately" on line 2 through "(7)(f)" on line 3

Insert: "on areas referred to in subsections (7)(a) through (7)(c)"

6. Page 3, line 4 through line 5.

Strike: subsection (f) in its entirety

Renumber: subsequent subsections

7. Page 3, line 7 through line 8.

Strike: "on an area" on line 7 through "mined" on line 8

Insert: "on areas referred to in subsections (7)(a) through (7)(c)"

8. Page 4, line 19 through line 21.

Strike: section 4 in its entirety

Renumber: subsequent sections

9. Page 6, line 29.

Strike: "17"

Insert: "16"

10. Page 8, line 3.

Strike: "2"

Insert: "5"

11. Page 8, line 6.

Strike: "information" through "operation" on line 6

Insert: "appropriate site and opencut operation information"

12. Page 19, line 13.

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Strike: "17"

Insert: "16"

13. Page 19, line 15.

Strike: "17"

Insert: "16"

And, as amended, do pass. Report adopted.

HB 584, do pass. Report adopted.

HB 728, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Title, line 5.

Following: "CONTRACTS"

Insert: "OR CONTRACT TASK ORDERS UNDER TERM CONTRACTS"

3. Page 1, line 12.

Strike: "shall" through "(2),"

Insert: "may"

4. Page 1, line 13.

Following: "18-4-301,"

Insert: "or contract task orders under term contracts"

5. Page 1, line 14.

Strike: "shall"

Insert: "may"

Strike: ", pursuant to subsection (1),"

6. Page 1, line 15.

Following: "if"

Insert: "both of the following occur"

7. Page 1, line 17.

Following: "costs"

Strike: "; and"

Insert: ". Prior to obtaining or modifying contracted application review services for an applicant, the department shall consult with the applicant regarding the scope and cost of the services."

8. Page 1, line 25.

Following: "applicant."

Insert: "The department may not retain a contractor to review an application that the contractor has helped to prepare or to review an application from an applicant with which the contractor has any economic ties."

9. Page 1.

Following: line 27

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Insert: "(5) Information that is in the custody of a contractor and that is used for review services pursuant to subsection (2) must be made available by the department for public inspection unless the information is constitutionally protected from disclosure."

10. Page 2, line 17.

Following: "(i)"

Strike: "shall"

Insert: "may"

And, as amended, do pass. Report adopted.

HB 795, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

2/24/2007

HB 544, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "STATE-ADMINISTERED"

Insert: "HIGHWAY PATROL OFFICERS' AND MUNICIPAL POLICE OFFICERS'"

2. Title, page 1, line 6.

Strike: "IMMEDIATE"

3. Page 1, line 7.

Strike: "AND APPLICABILITY DATES"

4. Page 1, line 9.

Following: "of"

Insert: "the highway patrol officers' and municipal police officers'"

5. Page 1, line 12.

Following: "of"

Insert: "the highway patrol officers' and municipal police officers'"

6. Page 1, line 22.

Strike: "Subject to subsection (2), a"

Insert: "A"

Strike: "annually"

7. Page 1, line 25 through page 2, line 4.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

8. Page 2, line 12.

Following: "instruction."

Insert: "(1)"

9. Page 2, line 13.

Strike: "2" in both places

Insert: "6" in both places

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Strike: "9" in both places

Insert: "5" in both places

10. Page 2.

Following: line 13

Insert: "(2) [Section 1] is intended to be codified as an integral part of Title 19, chapter 9, part 8, and the provisions of Title 19, chapter 9, part 8, apply to [section 1]."

11. Page 2, line 15.

Strike: "-- applicability"

Strike: "(1)"

12. Page 2, line 15 through line 16.

Strike: "on" on line 15 through "approval" on line 16

Insert: "July 1, 2007"

13. Page 2, line 17 through line 18.

Strike: subsections (2) and (3) in their entirety

And, as amended, do pass. Report adopted.

HB 650, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "GOD-GIVEN"

Insert: "INALIENABLE"

2. Page 1, line 13.

Strike: "Molly"

Insert: "Dolly"

3. Page 1, line 21.

Strike: "father"

Insert: "Father"

Strike: "constitution"

Insert: "Constitution"

4. Page 1, line 27.

Strike: "God-given"

Insert: "inalienable"

And, as amended, do pass. Report adopted.

MOTIONS

HB 270 - Representative Lange moved to reconsider the action taken on **HB 270** and be placed on third reading.

Motion carried as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.
Total 48

Excused: Ward, Wilson.
Total 2

Absent or not voting: None.
Total 0

HB 340 - Representative Lange moved to reconsider the action taken on **HB 340** and be placed on second reading.

Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.
Total 47

Excused: Ward, Wilson.
Total 2

Absent or not voting: None.
Total 0

HB 649 - Representative Sinrud moved **HB 649** be taken from the table in the Committee on Local Government and placed on second reading.

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock,

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Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 46

Excused: Ward, Wilson.

Total 2

Absent or not voting: Sonju.

Total 1

HB 604 - Representative Jopek moved **HB 604** be taken from the table in the Committee on State Administration and be placed on second reading.

Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 613 - Representative Hilbert moved **HB 613** be taken from the table in the Committee on Fish, Wildlife and Parks and be placed on second reading.

Motion, requiring a three-fifths vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Rice,

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Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Barrett, Becker, Bixby, Branae, Cohenour, Dickenson, Driscoll, Erickson, Gallik, Grinde, Groesbeck, Heinert, Hendrick, Jayne, Keane, Noonan, Peterson, Raser, Sesso, Windy Boy.

Total 20

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 421 - Representative Koopman moved **HB 421** be taken from the table in the Committee of Transportation and be placed on second reading.

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

Total 55

Noes: Bergren, Bixby, Branae, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Sinrud, Small-Eastman, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 43

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 118 - Representative Reinhart moved **HB 118** be taken from the table in the Committee on Health and Human Services and placed on second reading.

Motion, requiring a three-fifths vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wiseman.

Total 67

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Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, Lange, Malcolm, Mendenhall, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Wells, Windy Boy, Witte, Mr. Speaker.

Total 31

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 185 - Representative Jopek moved **HB 185** be taken from the table in the Committee on Judiciary and be placed on second reading.

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Boggio, Butcher, Clark, Dutton, Everett, Furey, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 49

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

HB 54 - Representative Dickenson moved **HB 54** be taken from the table in the Committee of Judiciary and be placed on second reading.

Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Driscoll, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

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Total 50

Excused: Ward, Wilson.

Total 2

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sales in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 671 - Representative Hamilton moved **HB 671** do pass. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 47

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 53

Voted Absentee: Wilson, Aye; Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 294 - Representative Dickenson moved **HB 294** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 86

Noes: Boggio, Butcher, Dutton, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Lambert, Mendenhall, Morgan, Rice, Ripley.

Total 14

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 739 - Representative Olson moved **HB 739** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 69

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Parker, Raser, Sands, Sesso, Taylor, Thomas, Van Dyk, Villa, Wilson, Wiseman.

Total 30

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

HB 442 - Representative Phillips moved **HB 442** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 79

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Jayne, Kasten, Kerns, Klock, Malcolm, McChesney, Mendenhall, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte.

Total 21

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Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 620 - Representative Dutton moved **HB 620** do pass. Motion **failed** as follows:

Ayes: Arntzen, Augare, Barrett, BEcker, Blasdel, Campbell, Clark, Dutton, Gallik, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jones W., Jopek, Koopman, Kottel, Lambert, Lange, MacLaren, McGillvray, Milburn, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sesso, Sinrud, Stahl, Taylor, Van Dyk, Vincent, Ward, Wilmer, Witte, Mr. Speaker.

Total 47

Noes: Ankney, Beck, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hawk, Hiner, Jayne, Jones L., Jore, Kasten, Keane, Kerns, Klock, Lake, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Sands, Small-Eastman, Stoker, Thomas, Villa, Wells, Wilson, Windy Boy, Wiseman.

Total 52

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: Sonju.

Total 1

HB 686 - Representative Olson moved **HB 686** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Heinert, Hendrick, Hilbert, L. Jones, W. Jones, Kasten, Klock, Koopman, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Peterson, Phillips, Ripley, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 42

Noes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Kottel, Lake, Malcolm, McAlpin, McChesney, Musgrove, O'Hara, Parker, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 58

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 692 - Representative Barrett moved **HB 692** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.
Total 74

Noes: Bergren, Bixby, Callahan, Campbell, Cordier, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jopek, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Raser, Sands, Sesso, Wilmer, Windy Boy, Wiseman.
Total 26

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 703 - Representative Ripley moved **HB 703** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 94

Noes: Callahan, Franklin, Gallik, Kottel, Wiseman.
Total 5

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: Dickenson.
Total 1

HB 706 - Representative Caferro moved **HB 706** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Boggio, Callahan, Cordier, Everett, Franklin, Hawk, Heinert, Hendrick, Hollenbaugh, Kasten, Klock, Mendenhall, Musgrove, Olson, Rice, Ripley, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

HJR 24 - Representative Hands moved **HJR 24** be adopted.

HJR 24 - Representative Hands moved **HJR 24**, second reading copy, be amended as follows:

1. Page 1, line 21 through line 22.

Strike: "WHEREAS," on line 21 through "Circle; and" on line 22

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 82

Noes: Beck, Boggio, Butcher, Dutton, Everett, Hawk, Kasten, Kerns, Peterson, Pomnichowski, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Witte.

Total 17

Voted Absentee: Ward, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

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HJR 24 - The motion to pass **HJR 24**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Hendrick, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 33

Voted Absentee: Wilson, Aye; Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 38 - Representative Jore moved **HJR 38** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Cordier, Dutton, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 75

Noes: Becker, Bergren, Caferro, Callahan, Campbell, Dickenson, Driscoll, Ebinger, Furey, Gallik, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Pomnichowski, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 25

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 549 - Representative Himmelberger moved **HB 549** do pass.

HB 549 - Representative Rice moved **HB 549**, second reading copy, be amended as follows:

1. Title, line 5 through line 6.

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Strike: "REQUIRING" on line 5 through "STATES;" on line 6

Following: "61-5-105" on line 6

Strike: ", 61-5-111,"

2. Page 2, line 15 through page 5, line 11.

Strike: section 2 in its entirety

Renumber: subsequent sections

3. Page 7, line 4.

Strike: "THROUGH 3"

Insert: "and 2"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bergren, Bixby, Campbell, Himmelberger, Mendenhall, Wilson.

Total 6

Voted Absentee: Ward, Aye; Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 549 - Representative Himmelberger moved **HB 549** as amended. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Voted Absentee: Ward, Aye; Wilson, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 91

Noes: Mendenhall, Sinrud.
Total 2

Excused: Ward, Wilson.
Total 2

Absent or not voting: Hamilton, Himmelberger, Jore, McNutt, Phillips.
Total 5

MOTIONS

Majority Leader Lange moved that **HB 732** be rereferred to the Committee on Education. There being no objections, so ordered.

Majority Leader Lange moved that **HB 663** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 667** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 294** be rereferred to the Committee on Appropriations.

HB 294 - Representative Dickenson objected to the motion. On machine vote Majority Leader Lange's motion **passed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.
Total 59

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Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Kottel, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 38

Excused: Ward, Wilson.

Total 2

Absent or not voting: Ripley.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Monday, February 26, 2007. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
FORTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 26, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Musgrove. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ward, excused. Quorum present.

Speaker Sales introduced the new pages for the week:

Pages:	Terry Nav, Missoula
	Katie Kliez, Missoula
	Colten Sales, Bozeman
	Kaitlyn Hill, Great Falls
	Timothy Seery, Great Falls,
	Allison Bebee, Great Falls
	Michael DesRosier, Browning
	Jessica Pattison, Glasgow

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 2/24/2007
Correctly printed: **HB 465, HB 577, HB 584, HB 610, HB 672, HB 688, HB 702, HB 743, HB 761, HB 769, HB 782, HB 786, HB 795, HJR 33, HJR 44.**
Correctly engrossed: **HB 132, HB 164, HB 192, HB 359, HB 515, HB 544, HB 557, HB 583, HB 617, HB 622, HB 650, HB 726, HB 728, HB 734, HB 744, HJR 39.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/24/2007
SB 113, introduced by Lewis
SB 168, introduced by Jent
SB 273, introduced by Jent
SB 300, introduced by Cooney
SB 411, introduced by Laible
SB 416, introduced by Kaufmann
SB 424, introduced by Moss
SB 466, introduced by Cocchiarella
SB 64, introduced by Cobb
SB 91, introduced by Williams
SB 96, introduced by Williams
SB 172, introduced by J. Tropila
SB 253, introduced by Cooney
SB 289, introduced by Gallus
SB 306, introduced by Harrington
SB 359, introduced by Cocchiarella
SB 376, introduced by Jackson
SB 383, introduced by Laslovich
SB 431, introduced by Lind

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SB 459, introduced by Elliott
SB 463, introduced by Kitzenberg
SB 465, introduced by Cocchiarella
SB 478, introduced by Weinberg
SB 479, introduced by Elliott
SB 485, introduced by Brueggeman
SB 523, introduced by Laslovich
SB 524, introduced by Wanzenried
SJR 7, introduced by Lind
SJR 11, introduced by Black
SJR 12, introduced by Brueggeman
SJR 22, introduced by Cocchiarella
SJR 23, introduced by Harrington

SB 49, introduced by Esp, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/24/2007

Yeas - 49
Nays - 0

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committee:

SB 4, introduced by Harrington (by request of the Department of Administration), referred to Appropriations.
SB 8, introduced by Shockley, referred to Judiciary.
SB 10, introduced by Harrington (by request of the Legislative Council), referred to State Administration.
SB 11, introduced by Cocchiarella (by request of the Legislative Council), referred to State Administration.
SB 12, introduced by Williams (by request of the Legislative Finance Committee), referred to Education.
SB 16, introduced by Hawks (by request of the Education and Local Government Interim Committee), referred to Education.
SB 19, introduced by Shockley (by request of the Environmental Quality Council), referred to Natural Resources.
SB 20, introduced by Shockley, referred to Judiciary.
SB 21, introduced by Larson, referred to Taxation.
SB 22, introduced by Weinberg (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.
SB 23, introduced by Moss (by request of the Office of Public Instruction), referred to Education.
SB 25, introduced by Larson (by request of the Environmental Quality Council), referred to Natural Resources.
SB 27, introduced by Esp (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Judiciary.
SB 29, introduced by Smith, referred to Transportation.
SB 30, introduced by Smith, referred to Transportation.
SB 31, introduced by Esp (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Judiciary.
SB 32, introduced by Schmidt (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Business and Labor.
SB 33, introduced by Steinbeisser (by request of the Economic Affairs Interim Committee), referred to Appropriations.
SB 35, introduced by J. Tropila (by request of the Department of Military Affairs), referred to State Administration.
SB 36, introduced by Cocchiarella (by request of the Legislative Council), referred to Transportation.

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SB 37, introduced by Gebhardt (by request of the Legislative Council), referred to Appropriations.

SB 39, introduced by Brown (by request of the Code Commissioner), referred to Judiciary.

SB 40, introduced by Cocchiarella (by request of the Legislative Council), referred to Judiciary.

SB 41, introduced by Elliott, referred to Judiciary.

SB 42, introduced by Brueggeman, referred to Appropriations.

SB 43, introduced by M. Tropila (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 44, introduced by Larson (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

SB 45, introduced by Weinberg (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Business and Labor.

SB 47, introduced by Esp (by request of the Children, Families, Health, and Human Services Interim Committee), referred to State Administration.

SB 48, introduced by Esp (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 98 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Sonju.
Total 1

HB 270 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 364 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte.

Total 79

Noes: Becker, Branae, Callahan, Campbell, Cohenour, Erickson, Hawk, Jayne, Jopek, Jore, Kasten, Koopman, Noonan, Parker, Raser, Sands, Sesso, Wells, Wilson, Mr. Speaker.

Total 20

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

HB 378 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: Jore, Koopman.
Total 2

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 383 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 400 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 81

Noes: Beck, Blasdel, Everett, Glaser, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, McGillvray, Nooney, Sinrud, Sonju, Stahl, Taylor, Vincent, Witte, Mr. Speaker.
Total 19

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 440 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 91

Noes: Bixby, Callahan, Franklin, Grinde, Jayne, Jopek, Villa, Wilson, Wiseman.
Total 9

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 442 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Boggio, Everett, Hawk, Jayne, Kasten, Malcolm, Mendenhall, Ripley, Sinrud, Taylor, Wells.
Total 11

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 460 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Dutton, Ebinger, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 82

Noes: Becker, Bixby, Caferro, Cordier, Dickenson, Driscoll, Erickson, Everett, Franklin, Henry, Hollenbaugh, Jayne, McAlpin, Musgrove, Pomnichowski, Reinhart, Van Dyk, Wilmer.

Total 18

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 492 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 533 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger,

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Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 95

Noes: Callahan, Franklin, McAlpin, Wilson, Wiseman.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 537 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 85

Noes: Callahan, Dickenson, Gallik, Heinert, Jore, Kasten, Keane, Kerns, Koopman, McChesney, Mendenhall, Sesso, Wilson, Wiseman.

Total 14

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

HB 555 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

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Noes: Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 27

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 559 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 587 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 55

Noes: Augare, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 618 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 91

Noes: Bergren, Caferro, Franklin, Hands, Jore, Van Dyk, Wilson, Windy Boy, Wiseman.

Total 9

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 620 failed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Blasdel, Campbell, Dutton, Everett, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Koopman, Kottel, Lambert, Lange, MacLaren, McGillvray, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sesso, Sinrud, Stahl, Taylor, Van Dyk, Vincent, Wilmer, Wilson, Witte, Mr. Speaker.

Total 45

Noes: Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hiner, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Lake, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stoker, Thomas, Villa, Ward, Wells, Windy Boy, Wiseman.

Total 55

Voted Absentee: Ward, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 634 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Everett, Hawk, Jore, Kasten, Koopman, Sonju, Vincent, Witte, Mr. Speaker.
Total 9

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 662 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 69

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Milburn, Peterson, Phillips, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 31

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 668 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Jayne, Jore, Kerns, Koopman, Rice.
Total 5

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 683 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 686 failed as follows:

Ayes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hendrick, Hilbert, L. Jones, W. Jones, Kasten, Kerns, Koopman, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Peterson, Phillips, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 40

Noes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Jore, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, Musgrove, O'Hara, Parker, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 690 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Everett, Hawk, Mendenhall, Ripley.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 692 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 72

Noes: Becker, Bergren, Bixby, Callahan, Cordier, Erickson, Franklin, Gallik, Hamilton, Hands, Hiner, Hollenbaugh,

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Jopek, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.

Total 28

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 703 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 98

Noes: Callahan, Wiseman.

Total 2

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 706 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Boggio, Butcher, Cordier, Everett, Franklin, Hawk, Heinert, Hendrick, Hollenbaugh, Kasten, Klock, Malcolm, Mendenhall, Musgrove, Olson, Rice, Ripley, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 713 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 89

Noes: Bergren, Branae, Callahan, Driscoll, Franklin, Gallik, Hands, Jopek, Jore, Peterson, Wilson, Wiseman.
Total 11

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 715 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 77

Noes: Bixby, Branae, Callahan, Cohenour, Driscoll, Franklin, Gallik, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Parker, Pomnichowski, Raser, Reinhart, Sands, Van Dyk, Wilmer, Wilson, Wiseman.
Total 23

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 727 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Dickenson, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 64

Noes: Augare, Branae, Callahan, Cohenour, Cordier, Driscoll, Erickson, Franklin, French, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Jore, Keane, Koopman, Kottel, McChesney, Musgrove, Noonan, Parker, Raser, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 36

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 739 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 79

Noes: Augare, Becker, Caferro, Callahan, Cohenour, French, Furey, Gallik, Hamilton, Hands, Hollenbaugh, Jayne, Kottel, McAlpin, O'Hara, Parker, Raser, Thomas, Wilmer, Wilson, Wiseman.

Total 21

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 785 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Hawk, Heinert, Hendrick,

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Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 76

Noes: Augare, Bergren, Bixby, Caferro, Campbell, Cordier, Franklin, Furey, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jayne, W. Jones, Jopek, McAlpin, Musgrove, Peterson, Small-Eastman, Wilson, Windy Boy, Wiseman.

Total 24

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 31 adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 38 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dutton, Erickson, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr.

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Speaker.
Total 78

Noes: Beck, Callahan, Campbell, Dickenson, Driscoll, Ebinger, Franklin, Furey, Gallik, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Mendenhall, Pomnichowski, Small-Eastman, Sonju, Villa, Wilson, Wiseman.
Total 22

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 40 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 92

Noes: Everett, Hawk, Jore, Kerns, Koopman, Mendenhall, Sonju, Mr. Speaker.
Total 8

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 42 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Koopman, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor,

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Vincent, Wells, Witte, Mr. Speaker.
Total 31

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: W. Jones.
Total 1

Democratic Caucus Leader Villa announced Democrats would caucus. Majority Leader Lange announced Republicans would caucus. House reconvened at 9:50 a.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 547 - Representative Lange moved consideration of **HB 547** be passed for the day. Motion carried.

HB 345 - Representative Lange moved **HB 345** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Clark, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.
Total 79

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Driscoll, Franklin, Henry, Jore, Keane, Kerns, Koopman, Musgrove, Noonan, Raser, Sesso, Wilson, Wiseman.
Total 20

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Malcolm.
Total 1

HB 678 - Representative Lange moved **HB 678** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert,

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Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 717 - Representative Stahl moved **HB 717** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Jore, Koopman.

Total 3

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 748 - Representative Sonju moved **HB 748** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman.

Total 2

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 756 - Representative L. Jones moved **HB 756** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Butcher, Jore, Kasten, Kerns, Koopman, Wells, Mr. Speaker.

Total 7

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

HB 766 - Representative Sonju moved **HB 766** do pass.

HB 766 - Representative Sonju moved **HB 766**, second reading copy, be amended as follows:

1. Title, line 11.

Following: "PLANS;"

Insert: "CLARIFYING THE QUALIFICATIONS FOR A QUALIFIED ASSOCIATION PLAN;"

2. Page 2, line 19.

Following: "authority"

Insert: "-- rates"

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Following: "authority."

Insert: "(1)"

3. Page 2, line 21.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

4. Page 3, line 11.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsection

5. Page 3, line 18.

Following: line 17

Insert: "(2) The provisions of 33-22-1809 and 33-22-1815(6)(b) do not apply to this part."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 766 - The motion to pass **HB 766**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 60

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jore, Keane, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 39

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

HB 768 - Representative Gallik moved **HB 768** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 98

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Sinrud, Mr. Speaker.

Total 2

HB 116 - Representative Ripley moved **HB 116** do pass.

HB 116 - Representative Musgrove moved **HB 116**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange,

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MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Glaser, L. Jones, Thomas.
Total 3

HB 116 - Representative Sesso moved **HB 116**, second reading copy, be amended as follows:

1. Page 12, line 11.

Following: "<+>"

Insert: "(1)"

2. Page 12, line 16.

Insert: "(2) Funding under this chapter must be prioritized so as to maximize the funds available for on-the-ground projects and programs in Montana communities that address the impacts of natural resource development and improve the total environment, while minimizing the use of the funds available under this chapter for the operations of state government."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Jore, McGillvray, Sinrud, Ward.
Total 4

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: Boggio, Driscoll.
Total 2

HB 116 - The motion to pass **HB 116**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Koopman.

Total 2

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 166 - Representative Raser moved **HB 166** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Stoker, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: Ankney, Phillips.

Total 2

HB 412 - Representative Ebinger moved **HB 412** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas,

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Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Blasdel, Everett, Hawk, Heinert, Kerns, Mendenhall, Ripley, Sinrud, Stoker, Taylor, Vincent, Witte, Mr. Speaker.
Total 13

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Augare, Beck, W. Jones, MacLaren.
Total 4

HB 466 - Representative Jore moved **HB 466** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 64

Noes: Barrett, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Erickson, Grinde, Groesbeck, Hands, Henry, Hollenbaugh, Jayne, Jopek, Keane, McAlpin, Mendenhall, Musgrove, Noonan, Parker, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 36

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 340 - Representative Wells moved **HB 340** do pass.

HB 340 - Representative Hilbert moved **HB 340**, second reading copy, be amended as follows:

1. Page 2, line 11.

Following: "of"

Insert: "offense involving"

2. Page 2, line 14.

Following: "support"

Insert: "the alleged offense and"

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3. Page 2, line 22 through page 3, line 22.

Strike: section 5 in its entirety

Renumber: subsequent sections

4. Page 6, lines 9 and 10.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

5. Page 6, line 11.

Strike: "6"

Insert: "5"

6. Page 6, line 12.

Strike: "6"

Insert: "5"

7. Page 6, line 13.

Strike: "7"

Insert: "6"

8. Page 6, line 14.

Strike: "7"

Insert: "6"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 87

Noes: Caferro, Callahan, Dickenson, Erickson, Hands, Jayne, Keane, Pomnichowski, Raser, Sesso, Villa, Wilson, Wiseman.

Total 13

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 340 - The motion to pass **HB 340**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser,

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Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 57

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 43

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 531 - Representative Lambert moved **HB 531** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Barrett, Erickson, Everett, Hands, Hawk, Jore, Lake, McGillvray, Mendenhall, Ripley, Wells, Witte.

Total 12

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 608 - Representative Olson moved **HB 608** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud,

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Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte.

Total 88

Noes: Callahan, Driscoll, Everett, Franklin, Jayne, Jore, Koopman, McGillvray, Raser, Wells, Wiseman, Mr. Speaker.

Total 12

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 629 - Representative Hamilton moved **HB 629** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.

Total 62

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Milburn, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Wilson, Witte, Mr. Speaker.

Total 38

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

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Noes: Callahan, Cordier, Driscoll, Franklin, Gallik, Hollenbaugh, Jacobson, Jayne, Wilson.
Total 9

Excused: Ward.
Total 1

Absent or not voting: Bergren, Hilbert, Himmelberger, Koopman, Olson.
Total 5

MOTIONS

HB 152 - Representative Branae moved that **HB 152** be taken from the table in the Committee on Education and placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 185 - Representative Rice moved that **HB 185** be taken from the table in the Committee on Judiciary and placed on second reading this day. Motion, requiring three-fifth's vote, carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Ankney, Boggio, Butcher, Kasten, Mendenhall, Milburn, Peterson, Ripley, Wilson.
Total 9

Excused: Ward.
Total 1

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Absent or not voting: Van Dyk.
Total 1

HB 135 - Representative Fury moved that **HB 135** be taken from the table in the Committee on Education and placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 632 - Representative Wiseman moved that **HB 632** be taken from the table in the Committee on State Administration and placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 49

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 561- Representative Musgrove moved that **HB 561** be taken from the table in the Committee on Appropriations and placed on second reading. Motion **failed** as follows:

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Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 48

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 239 - Representative Phillips moved that **HB 239** be taken from the table in the Committee on Judiciary and placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 163 - Representative Koopman moved that **HB 163** be taken from the table in the Committee on State Administration and be placed on second reading. Motion **failed** as follows:

Ayes: Ankney, Beck, Blasdel, Boggio, Butcher, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 47

Noes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 339 - Representative Small-Eastman moved that **HB 339** be taken from the table in the Committee on Appropriations and placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 56 - Representative Gallik moved that **HB 56** be taken from the table in the Committee on Federal, Relations, Energy and Telecommunications and be placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ward.

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Total 1

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 643 - Representative Sinrud moved **HB 643** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 96

Noes: Caferro, Dickenson, Jayne, Wiseman.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 679 - Representative Sales moved **HB 679** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Musgrove.

Total 1

HB 723 - Representative Arntzen moved **HB 68** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 729 - Representative Raser moved **HB 729** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Beck, Boggio, Everett, Hawk, Hilbert, Ingraham, Jore, Kerns, Koopman, Lake, Mendenhall, Ripley, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: Callahan, Keane.
Total 2

HB 738 - Representative Mendenhall moved **HB 738** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Augare, Bixby, Cohenour, Cordier, Grinde, Hollenbaugh, McAlpin, Musgrove, Van Dyk.
Total 9

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Sonju.
Total 1

HB 740 - Representative Olson moved **HB 740** do pass.

HB 740 - Representative Olson moved **HB 740**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "VETERANS;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 21.

Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated \$60,000 from the state general fund to the board of veterans' affairs to be used for implementing [section 1]."

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

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Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 740 - The motion to pass **HB 740**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Hamilton, Hands, Wilson.
Total 3

HB 742 - Representative Raser moved **HB 742** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Everett, Hawk, Jayne, Jore, Koopman, Rice, Ripley, Sinrud, Witte, Mr. Speaker.
Total 10

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: Branae.
Total 1

HB 759 - Representative Hendrick moved **HB 759** do pass.

HB 759 - Representative Hendrick moved **HB 759**, second reading copy, be amended as follows:

1. Title, line 4 through line 6.

Strike: "CREATING" on line 4 through "MEMBERS;" on line 6

2. Page 1, line 17 through page 2, line 12.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 3, line 16.

Strike: "and"

4. Page 3, line 19.

Following: "training"

Strike: ". "

Insert: "; and (d) a method for compiling and keeping current a contact list of all search and rescue units in Montana and in neighboring states and provinces in order to ensure collaboration, communication, and cooperation between the various county search and rescue units and between the department and the county units and dedication of a page on the department's website for posting the contact list and other relevant search and rescue information."

5. Page 5, line 24 through line 25.

Strike: section 4 in its entirety

Renumber: subsequent section

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Ripley.
Total 1

Voted Absentee: Ward, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 759 - The motion to pass **HB 759**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne, Jore.

Total 2

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Parker announced Democrats would caucus. Majority Leader Lange announced Republicans would caucus. House reconvened at 3:00 p.m.

HB 764 - Representative Milburn moved **HB 764** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Augare, Jayne, Jore, Koopman.

Total 4

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: Becker, Ebinger.
Total 2

HB 765 - Representative Olson moved **HB 765** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.
Total 87

Noes: Butcher, Heinert, Himmelberger, Jore, Koopman, Lake, McGillvray, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.
Total 12

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Wilson.
Total 1

HB 770 - Representative Pomnichowski moved **HB 770** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Boggio, Butcher, Dutton, Kasten, Wells.
Total 5

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

HB 771 - Representative W. Jones moved **HB 771** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: McGillvray.

Total 1

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

HB 781 - Representative Windy Boy moved **HB 781** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Klock, Koopman, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 68

Noes: Beck, Boggio, Butcher, Clark, Everett, Groesbeck, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Keane, Kerns, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Olson, Ripley, Ross, Sesso, Stoker, Ward, Mr. Speaker.

Total 29

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: L. Jones, Morgan, Peterson.

Total 3

HB 789 - Representative Campbell moved **HB 789** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney,

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Total 88

Noes: Beck, Boggio, Butcher, Clark, Hawk, Jore, Kerns, Koopman, McGillvray, Peterson, Stoker.

Total 11

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

HB 791 - Representative Kasten moved **HB 791** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 92

Noes: Augare, Caferro, Dickenson, Erickson, Gallik, Jopek, Wilson, Wiseman.

Total 8

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 803 - Representative Himmelberger moved **HB 803** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

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Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

HJR 35 - Representative Ebinger moved **HJR 35** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 88

Noes: Blasdel, Boggio, Dutton, Everett, Hawk, Jore, Kasten, Lake, Mendenhall, Wells, Witte.
Total 11

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Ankney.
Total 1

HJR 41 - Representative Furey moved **HJR 41** be adopted.

HJR 41 - Representative Furey moved **HJR 41**, second reading copy, be amended as follows:

1. Page 1.

Following: line 24

Insert: "BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the Montana Congressional Delegation and to Montana service personnel informing them that the heartfelt thanks of all Montanans are extended to them, that we are proud of them, that they are in our prayers, and that we send them best wishes for a safe return."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Total 97

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser, Sinrud, Mr. Speaker.

Total 3

HJR 41 - The motion to pass **HJR 41**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Himmelberger, Lange, Sinrud, Mr. Speaker.

Total 4

HB 613 - Representative Noonan moved consideration of **HB 613** be passed for the day. Motion carried.

HB 118 - Representative Henry moved **HB 118** do pass.

HB 118 - Representative Reinhart moved **HB 118**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Following: "DISPENSING OF"

Insert: "CERTAIN"

2. Page 1, line 25.

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Following: "contraceptives"

Insert: ", other than mifepristone,"

3. Page 2, line 21.

Following: "contraceptives"

Insert: ", other than mifepristone,"

4. Page 3, line 14.

Following: "contraceptive"

Insert: ", other than mifepristone,"

5. Page 4, line 4.

Following: "contraceptive"

Insert: "other than mifepristone"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Everett, Hawk, Kasten, Sands, Stoker.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

HB 118 - The motion to pass **HB 118**, as amended, carried as follows:

Ayes: Ankney, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Arntzen, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hilbert, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Sinrud, Stoker, Ward, Wells, Mr. Speaker.

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Total 28

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: Witte.

Total 1

HB 405 - Representative Lange moved **HB 405** do pass.

HB 405 - Representative McGillvray moved for cloture. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Driscoll, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Rice, Ripley, Ross, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Witte.

Total 73

Noes: Caferro, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, Gallik, Hands, Heinert, Hollenbaugh, Jacobson, Mendenhall, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Sinrud, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 26

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 405 - The motion to pass **HB 405** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 744 - Representative Rice moved **HB 744** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Becker, Reinhart.
Total 2

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

HB 617 - Representative Sinrud moved **HB 617** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Gallik, Jayne, Jore, Windy Boy.
Total 4

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: McGillvray.
Total 1

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HB 734 - Representative McAlpin moved **HB 734** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Beck, Blasdel, Boggio, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, Mendenhall, Morgan, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Dickenson.

Total 1

HB 743 - Representative Clark moved **HB 743** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Everett, Hawk, Jore, Koopman, Sonju, Wells.

Total 6

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton, Lange.

Total 2

HB 783 - Representative Lake moved **HB 783** do pass. Motion carried as follows:

Ayes: Ankney, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman,

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Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 80

Noes: Augare, Becker, Bixby, Caferro, Callahan, Campbell, Driscoll, Franklin, Furey, Grinde, Groesbeck, Henry, Jayne, Jopek, Keane, Raser, Van Dyk, Windy Boy, Wiseman.

Total 19

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Arntzen.

Total 1

HB 735 - Representative Hilbert moved **HB 735** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Butcher, Caferro, Clark, Cohenour, Cordier, Ebinger, Everett, French, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hilbert, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Ward, Wells, Wiseman, Witte.

Total 61

Noes: Augare, Becker, Bixby, Boggio, Branae, Callahan, Campbell, Dickenson, Driscoll, Dutton, Erickson, Franklin, Grinde, Groesbeck, Hands, Hendrick, Henry, Himmelberger, Hiner, Jayne, Jopek, Jore, Kasten, Kerns, Koopman, Kottel, McGillvray, Noonan, Raser, Rice, Sands, Sinrud, Stoker, Van Dyk, Vincent, Wilmer, Wilson, Windy Boy, Mr. Speaker.

Total 39

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 786 - Representative Blasdel moved **HB 786** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 98

Noes: Groesbeck.

Total 1

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

HJR 44 - Representative Gallik moved **HJR 44** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Rice, Ripley, Ross, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 755 - Representative Keane moved **HB 755** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Bixby, Branae, Cohenour, Dickenson, Erickson, Hamilton, Hands, Jopek, Musgrove, Raser.

Total 10

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

HB 185 - Representative Jopek moved **HB 185** do pass.

HB 185 - Representative Rice moved **HB 185**, second reading copy, be amended as follows:

1. Title, line 7 through line 9.

Strike: "PROVIDING" on line 7 through "STATE;" on line 9

2. Page 1, line 22.

Strike: "(a)"

3. Page 1, lines 25 through 27.

Strike: subsection (b) in its entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Witte.

Total 90

Noes: Becker, Boggio, W. Jones, Kasten, Pomnichowski, Sinrud, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 10

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 185 - The motion to pass **HB 185**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Clark, Jayne, Malcolm, Peterson, Windy Boy.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Becker, Callahan, Dickenson, Franklin, Groesbeck, Jacobson, Jayne, Jopek, Jore, Koopman, Mendenhall, Sinrud, Wilson.

Total 13

Excused: Ward.

Total 1

Absent or not voting: Bergren.

Total 1

MOTIONS

Majority Leader Lange moved **HB 740** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 734** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

HB 663 - Representative Villa moved **HB 663** be moved from the table in the Committee on Appropriations and be placed on second reading. Motion, requiring three-fifths majority, **failed** as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 54

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 44

Excused: Ward.

Total 1

Absent or not voting: Jore.

Total 1

HB 71 - Representative MacLaren moved **HB 71** be moved from the table in the Committee on Appropriations and be placed on second reading. Motion **failed** as follows:

Ayes: Ankney, Augare, Becker, Bergren, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Lange, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Wilmer, Wilson.

Total 49

Noes: Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Clark, Dutton, Erickson, Everett, Gallik, Glaser, Hands, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 50

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Tuesday, February 27, 2007. Motion carried.

House adjourned at 5:17 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 27, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Olson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ward, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the thirty-eighth, thirty-ninth, and fortieth legislative days, find the same to be correct.

L. Jones, Chair

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/26/2007

SB 129, introduced by Schmidt
SB 145, introduced by Shockley
SB 186, introduced by Lewis
SB 192, introduced by Essmann
SB 235, introduced by Gallus
SB 265, introduced by Kitzenberg
SB 279, introduced by Balyeat
SB 284, introduced by Moss
SB 286, introduced by Cooney
SB 288, introduced by Schmidt
SB 293, introduced by Laible
SB 294, introduced by Harrington
SB 312, introduced by Lind
SB 349, introduced by Ryan
SB 354, introduced by Lind
SB 382, introduced by Laslovich
SB 385, introduced by Cobb
SB 390, introduced by Juneau
SB 391, introduced by Weinberg
SB 417, introduced by Brown
SB 433, introduced by Laslovich
SB 447, introduced by Perry
SB 488, introduced by Ryan
SB 491, introduced by Moss
SB 492, introduced by Gebhardt
SB 502, introduced by Cooney
SB 505, introduced by Squires
SB 507, introduced by Story
SB 521, introduced by Esp
SB 525, introduced by Elliott

Senate joint resolutions adopted and transmitted to the House for concurrence:

2/27/2007

SJR 15, introduced by Gillan

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SJR 18, introduced by Pease
SJR 24, introduced by Laslovich

MESSAGES FROM THE GOVERNOR

February 27, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 23** sponsored by Representative Hiner and **House Bill 470** sponsored by Representative Olson on February 27, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

February 26, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 333, "AN ACT PROVIDING FOR AND REGULATING PARIMUTUEL WAGERING ON MATCH BRONC RIDES AND WILD HORSE RIDES; AMENDING SECTIONS 23-4-101, 23-4-104, 23-4-105, AND 23-4-202, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE," for the following reasons.

House Bill 333 authorizes parimutuel wagering on match bronc rides and wild horse rides and provides for their regulation by the board of horse-racing. Section 4 of the bill amends Mont. Code Ann. § 23-4-202, to except participants in a match bronc ride or a wild horse ride from the *penalty* provisions of the law. However, as written, the bill neglects to exempt those participants from the *licensure* requirements of the law.

My proposed amendment, therefore, amends Mont. Code Ann. § 23-4-201 to expressly except from those who must

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be licensed and pay annual fees participants in a match bronc ride or wild horse ride. This proposed amendment provides for clarity and for consistency with the remainder of the bill, so that both the licensure statute and the penalty statute will except participants in match bronc rides or wild horse rides from licensure requirements. Although the participants will be excepted from the licensure requirements, please take note that the person holding the race meet will be required to be licensed.

I have discussed my proposed amendment with the sponsor of the bill, Representative McChesney, who supports the proposed amendment as consistent with his intent. The proposed amendment is attached to this letter.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 333
Reference Copy
Requested by the Governor
For the House Committee of the Whole
Prepared by Greg Petesch
March 5, 2007 (3:47pm)

1. Title, line 6.

Following: line 5

Insert: "23-4-201,"

2. Page 3, line 3.

Strike: "including"

3. Page 3, line 4.

Democratic Caucus Leader announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 9:30 a.m.

MOTIONS

HB 11 - Representative Kasten moved to suspend the rules to reconsider action taken on **HB 11** to be placed on second reading. Motion, requiring two-thirds majority, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson,

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Wiseman.
Total 49

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 613 - Representative Bergren moved **HB 613** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Blasdel, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 81

Noes: Barrett, Becker, Bixby, Boggio, Branae, Driscoll, Erickson, Gallik, Grinde, Hawk, Hendrick, Jayne, Kasten, McGillvray, Ripley, Sands, Sinrud, Mr. Speaker.
Total 18

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Mendenhall.
Total 1

HB 92 - Representative Franklin moved **HB 92** do pass. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 64

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hendrick, Hilbert, Himmelberger,

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Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 36

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 359 - Representative Dutton moved **HB 359** do pass.

HB 359 - Representative Dutton moved **HB 359**, second reading copy, be amended as follows:

1. Page 1, line 27.

Following: "~~cash~~"

Insert: "by a nonprofit hospital"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Becker, Kerns, McGillvray, Milburn, Stoker.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 359 - The motion to pass **HB 359**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice,

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Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Callahan, Kerns, McGillvray, McNutt, Olson, Sonju, Stoker.

Total 7

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 465 - Representative Jore moved **HB 465** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Mr. Speaker.

Total 48

Noes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman, Witte.

Total 52

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 515 - Representative Glaser moved **HB 515** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Campbell, Everett, Hawk, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

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Total 15

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 544 - Representative Olson moved **HB 544** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Butcher, Everett, Hawk, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 425 - Representative Sesso moved **HB 425** do pass.

HB 1 - Representative Sesso moved **HB 1**, second reading copy, be amended as follows:

1. Page 3, line 1 through line 2.

Strike: "requirements" on line 1 through "division" on line 2

Insert: "proposed division qualifies for the exemption pursuant to subsection (1)"

2. Page 3, line 22 through line 23.

Strike: "requirements" on line 22 through "division" on line 23

Insert: "proposed division qualifies for the exemption pursuant to subsection (1)"

3. Page 5, line 20 through line 21.

Strike: "requirements" on line 20 through "division" on line 21

Insert: "proposed division qualifies for the exemption pursuant to subsection (1)"

Amendment adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Boggio, Everett, Hawk, Jopek, Jore, Koopman, Lange, McGillvray, Ward, Witte.

Total 10

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: Becker, Callahan.

Total 2

HB 425 - The motion to pass **HB 425**, as amended, carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 557 - Representative Heinert moved **HB 557** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 54

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 85

Noes: Bixby, Callahan, Franklin, Jopek, Jore, Koopman, Musgrove, Van Dyk, Villa, Wilson.

Total 10

Excused: Ward.

Total 1

Absent or not voting: Everett, Hawk, Ripley, Witte.

Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 116 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore, Koopman.
Total 2

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 166 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Barrett, Blasdel, Boggio, Dutton, Everett, Hawk, Hilbert, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Morgan, Rice, Sinrud, Stoker, Wells, Witte, Mr. Speaker.
Total 24

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 283 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Barrett, Beck, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 25

Excused: Ward.
Total 1

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Absent or not voting: Cohenour, Erickson.
Total 2

HB 340 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.
Total 57

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jopek, Keane, McAlpin, McChesney, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 42

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 345 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 75

Noes: Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Franklin, Furey, Groesbeck, Jore, Keane, Kerns, McChesney, Musgrove, Noonan, Parker, Raser, Ripley, Sands, Sesso, Small-Eastman, Thomas, Villa, Wiseman.
Total 24

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 405 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

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Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 412 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Beck, Blasdel, Everett, Hawk, Kerns, Koopman, Mendenhall, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Witte, Mr. Speaker.

Total 15

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 462 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Butcher, Caferro, Everett, Jore, Kerns, Klock, Koopman, Lake, Lambert, McGillvray, Morgan, Peterson, Sonju, Wells.

Total 14

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Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 466 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Gallik, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Lambert, McAlpin, McChesney, Musgrove, Noonan, Parker, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 44

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 531 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 86

Noes: Barrett, Everett, Hawk, Jore, Koopman, Lake, McGillvray, Mendenhall, Rice, Ripley, Wells, Witte, Mr. Speaker.
Total 13

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 608 passed as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Witte.
Total 88

Noes: Augare, Callahan, Franklin, Jayne, Jore, Kerns, Koopman, McGillvray, Wells, Wiseman, Mr. Speaker.
Total 11

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 617 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Franklin, Gallik, Jayne, Jore.
Total 4

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 629 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Windy Boy, Wiseman.
Total 62

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger,

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Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Milburn, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Wilson, Witte, Mr. Speaker.

Total 37

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 643 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Caferro, Dickenson, Jayne, Wiseman.

Total 5

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 678 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

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HB 679 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 687 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Barrett, Beck, Blasdel, Butcher, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 28

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 717 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk,

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Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 95

Noes: Jore, Kasten, Koopman, Witte.
Total 4

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 723 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Campbell, Jore, Rice.
Total 3

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 729 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 76

Noes: Boggio, Everett, Glaser, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Mendenhall, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Witte, Mr. Speaker.
Total 23

Excused: Ward.
Total 1

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Absent or not voting: None.
Total 0

HB 735 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, L. Jones, W. Jones, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Wells, Witte.
Total 38

Noes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 61

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 738 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Witte, Mr. Speaker.
Total 83

Noes: Augare, Bixby, Callahan, Cohenour, Driscoll, Franklin, Gallik, Grinde, Hands, Jayne, McAlpin, Musgrove, Van Dyk, Wilson, Windy Boy, Wiseman.
Total 16

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 742 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Barrett, Butcher, Everett, Hawk, Jayne, Jore, Koopman, Lake, Mendenhall, Olson, Peterson, Rice, Ripley, Wells, Witte, Mr. Speaker.

Total 16

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 743 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Hawk, Jore, Koopman, Mendenhall, Sonju, Vincent, Wells, Witte, Mr. Speaker.

Total 9

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 744 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Becker, Callahan, Campbell, Franklin, Gallik, Musgrove, Villa, Wilson.

Total 8

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Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 748 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Franklin, Jore, Koopman, Musgrove.

Total 4

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 755 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Bixby, Branae, Cohenour, Dickenson, Erickson, Hands, Musgrove, Raser, Wilson.

Total 9

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 756 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan,

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Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Butcher, Jore, Kerns, Koopman, McGillvray, Wells, Witte, Mr. Speaker.

Total 8

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 759 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Jayne, Jore, Koopman, Mendenhall, Witte.

Total 5

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 764 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

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Noes: Augare, Jayne, Jore, Koopman.
Total 4

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 765 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Barrett, Butcher, Everett, Heinert, Himmelberger, Jore, Kasten, Koopman, McGillvray, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.
Total 14

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 766 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

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HB 768 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 770 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Boggio, Kasten.
Total 2

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 771 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells,

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Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Jore, Kasten, McGillvray.
Total 3

Excused: Ward.
Total 1

Absent or not voting: Barrett, L. Jones, Sonju.
Total 3

HB 781 passed as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Klock, Koopman, Kottel, Lambert, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Keane, Kerns, Lake, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Ripley, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Wells, Witte.
Total 40

Excused: Ward.
Total 1

Absent or not voting: Peterson.
Total 1

HB 783 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Ward.
Total 1

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Absent or not voting: None.
Total 0

HB 786 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Bergren, Campbell, Franklin, Grinde, Musgrove, Parker.
Total 6

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 789 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Beck, Boggio, Butcher, Hawk, Jore, Kerns, Koopman, McGillvray, Peterson, Sinrud, Sonju, Stoker, Mr. Speaker.
Total 13

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 791 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham,

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Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 88

Noes: Augare, Caferro, Dickenson, Erickson, Gallik, Hands, Musgrove, Noonan, Villa, Wilson, Wiseman.

Total 11

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 803 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 24 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 63

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Hendrick, Hilbert, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 35

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Excused: Ward.
Total 1

Absent or not voting: Hands.
Total 1

HJR 35 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 86

Noes: Blasdel, Boggio, Dutton, Everett, Hawk, Hendrick, Jore, Kasten, Lake, Mendenhall, Sinrud, Stoker, Wells.
Total 13

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HJR 44 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Barrett, Blasdel, Boggio, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 24

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

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Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 577 - Representative Caferro moved **HB 577** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ross, Sinrud, Sonju, Stoker, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 37

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 761 - Representative French moved **HB 761** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Olson, Rice, Ripley, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 37

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

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HB 584 - Representative Jopek moved **HB 584** do pass. Motion **failed** as follows:

Ayes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 50

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 610 - Representative Keane moved **HB 610** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 56

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 44

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 622 - Representative McGillvray moved **HB 622** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan,

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O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

HB 650 - Representative Koopman moved **HB 650** do pass.

HB 650 - Representative Jore moved **HB 650**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 51

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 650 - The motion to pass **HB 650** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall,

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Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Reinhart, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 72

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Clark, Driscoll, Franklin, Grinde, Hands, Henry, Jayne, Malcolm, McAlpin, Parker, Pomnichowski, Raser, Ripley, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 28

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 672 - Representative Glaser moved **HB 672** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman.

Total 76

Noes: Augare, Callahan, Campbell, Dutton, Everett, Franklin, Gallik, Hawk, Hendrick, Henry, Jore, Kasten, Koopman, Kottel, Mendenhall, Noonan, Rice, Ripley, Sinrud, Windy Boy, Witte, Mr. Speaker.

Total 22

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Cohenour, Villa.

Total 2

HB 688 - Representative Olson moved **HB 688** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 92

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Noes: Barrett, Bixby, Callahan, Dickenson, Hands, Raser, Van Dyk, Wiseman.
Total 8

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 695 - Representative McNutt moved **HB 695** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 52

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Bergren.
Total 1

HB 702 - Representative Jore moved **HB 702** do pass. Motion **failed** as follows:

Ayes: Ankney, Barrett, Butcher, Everett, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Rice, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 23

Noes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 77

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 726 - Representative Gallik moved **HB 726** do pass.

HB 726 - Representative Parker moved **HB 726**, second reading copy, be amended as follows:

1. Page 5, line 7.

Following: line 6

Insert: "(iii) Companion animal hoarding does not constitute aggravated animal cruelty as provided in 45-8-217."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Beck, Mendenhall.
Total 2

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 726 - The motion to pass **HB 726**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 66

Noes: Barrett, Beck, Blasdel, Butcher, Clark, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Klock, Koopman, Lake, Lambert, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.
Total 34

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 728 - Representative McChesney moved **HB 728** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 87

Noes: Caferro, Driscoll, Gallik, Hands, Hollenbaugh, Jayne, McAlpin, Musgrove, Pomnichowski, Reinhart, Van Dyk, Wilmer, Wiseman.

Total 13

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 763 - Representative Ankney moved **HB 763** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 769 - Representative Lake moved **HB 769** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Morgan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 76

Noes: Bixby, Caferro, Campbell, Cordier, Dickenson, Furey, Henry, Hiner, Hollenbaugh, Jayne, Jopek, Jore, Koopman, McAlpin, Mendenhall, Milburn, Musgrove, Noonan, Olson, Reinhart, Sands, Small-Eastman, Wells, Mr. Speaker.
Total 24

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 782 - Representative Caferro moved **HB 782** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 80

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Hendrick, Hilbert, Jore, Kasten, Koopman, Mendenhall, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 20

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 795 - Representative Hands moved **HB 795** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Hilbert, Ingraham, Jore, Kasten, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 164 - Representative Koopman moved **HB 164** do pass. Motion **failed** as follows:

Ayes: Ankney, Beck, Blasdel, Butcher, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 38

Noes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 415 - Representative Reinhart moved **HB 415** do pass.

HB 415 - Representative Reinhart moved **HB 415**, second reading copy, be amended as follows:

1. Page 1, line 25.

Following: "unit."

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Insert: "A park dedication may be required for a minor subdivision."

Amendment adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, L. Jones, W. Jones, Jore, Kasten, Klock, Koopman, Malcolm, McGillvray, Mendenhall, O'Hara, Rice, Ripley, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 33

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 415 -The motion to pass **HB 415**, as amended, carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Voted Absentee: Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 710 - Representative Pomnichowski moved **HB 710** do pass. Motion **failed** as follows:

Ayes: Bergren, Bixby, Branae, Cohenour, Cordier, Dickenson, Driscoll, Franklin, Furey, Grinde, Hamilton, Hands,

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Henry, Hilbert, McAlpin, Musgrove, Parker, Pomnichowski, Raser, Reinhart, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.

Total 27

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.

Total 73

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 87

Noes: Dickenson, Franklin, Gallik, Jopek, Jore, Koopman, Musgrove, Wiseman.

Total 8

Excused: Ward.

Total 1

Absent or not voting: Everett, Hilbert, Himmelberger, Jacobson.

Total 4

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

2/27/2007

Correctly printed: **HB 298**.

Correctly engrossed: **HB 26, HB 57, HB 96, HB 407**.

APPROPRIATIONS (Sinrud, Chairman):

2/23/2007

HB 26, introduced bill, be amended as follows:

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1. Title, line 7.

Strike: "INCREASING"

Insert: "DECREASING, MODIFYING,"

2. Page 1, line 19 through line 21.

Strike: line 19 through line 21 in their entirety

Renumber: subsequent subsections

3. Page 3, line 15 and 16.

Strike: "\$75,000" on line 15

Insert: "\$50,000"

Strike: "75,000" on line 16

Insert: "50,000"

And, as amended, do pass. Report adopted.

HB 57, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "personal injury"

Insert: "liability"

Strike: "under the supervision of"

Insert: "providing foster care services to children placed by"

2. Page 1, line 14.

Strike: "or"

Insert: "and for"

Following: "agency"

Insert: ". "

3. Page 1, line 15.

Strike: line 15 in its entirety

And, as amended, do pass. Report adopted.

HB 96, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "\$200,000"

Insert: "\$100,000"

And, as amended, do pass. Report adopted.

HB 298, do pass. Report adopted.

HB 407, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "\$3 MILLION"

Insert: "\$1 MILLION FOR THE 2008 FISCAL YEAR AND \$1 MILLION FOR THE 2009 FISCAL YEAR"

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2. Title, page 1, line 6.

Following: "TO"

Insert: "COUNTY HEALTH BOARDS IN COUNTIES THAT HAVE EXPERIENCED A PROLIFERATION OF TREMOLITE ASBESTOS-RELATED DISEASES FOR"

3. Page 1, line 19.

Strike: "for the 2009 biennium \$3 million"

Insert: "\$1 million for the 2008 fiscal year and \$1 million for the 2009 fiscal year"

4. Page 1, line 21.

Following: "to"

Insert: "county health boards in counties that have experienced a proliferation of tremolite asbestos-related diseases for"

5. Page 1, line 24.

Following: "plan."

Insert: "At the end of the 2008 fiscal year, the department shall prepare a report outlining the number of participants assisted through the grant program, the amount of funding needed by each participant, and the estimated funding needed to pay the future costs of participants. If the report is not received by the children, families, health, and human services interim committee, pursuant to 5-5-225, by June 30, 2008, the fiscal year 2009 appropriation is void."

And, as amended, do pass. Report adopted.

MOTIONS

HB 766 - Representative Lange moved reconsideration of the action taken on **HB 766** and be placed on third reading. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: Ward.

Total 1

Absent or not voting: Callahan.

Total 1

Speaker Sales announced the House would stand in recess for one hour. House reconvened at 4:40 p.m.

Majority Leader Lange moved to suspend the rules and place all eligible bills on third reading. There being no

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objections, so ordered.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 118 passed as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Arntzen, Barrett, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 26

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 185 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Clark, Jayne, Mendenhall, Milburn, Peterson.

Total 5

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HJR 41 adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Ripley.
Total 1

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 92 passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, McGillvray, Mendenhall, Milburn, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Wells, Witte, Mr. Speaker.
Total 29

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 359 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 91

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Noes: Callahan, Kerns, McGillvray, McNutt, Olson, Peterson, Stoker, Witte.
Total 8

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 415 passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 54

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 44

Excused: Ward.
Total 1

Absent or not voting: Stahl.
Total 1

HB 425 passed as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 57

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Lange, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 42

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

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HB 515 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.

Total 80

Noes: Callahan, Campbell, Everett, Franklin, Hawk, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Noonan, Ripley, Sinrud, Wells, Windy Boy, Witte, Mr. Speaker.

Total 18

Excused: Ward.

Total 1

Absent or not voting: Glaser.

Total 1

HB 544 passed as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 85

Noes: Butcher, Everett, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Peterson, Wells, Mr. Speaker.

Total 13

Excused: Ward.

Total 1

Absent or not voting: Ankney.

Total 1

HB 557 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 53

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 577 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 31

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 584, requiring two-thirds of the entire Legislature, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 43

Excused: Ward.

Total 1

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Absent or not voting: None.
Total 0

HB 610 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.
Total 59

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 40

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 613 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Blasdel, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 79

Noes: Barrett, Becker, Bixby, Boggio, Branae, Driscoll, Erickson, Gallik, Grinde, Hawk, Hendrick, Jayne, Kasten, McGillvray, Parker, Raser, Ripley, Sands, Sinrud, Mr. Speaker.
Total 20

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 622 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

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Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 650 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Reinhart, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Wilmer, Witte, Mr. Speaker.
Total 74

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Clark, Driscoll, Franklin, Grinde, Henry, Jayne, Malcolm, McAlpin, Parker, Pomnichowski, Raser, Ripley, Sands, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 25

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 672 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.
Total 77

Noes: Augare, Bergren, Callahan, Campbell, Dutton, Everett, Hawk, Hendrick, Henry, Jore, Kasten, Koopman, Kottel, Mendenhall, Rice, Ripley, Sinrud, Taylor, Wells, Windy Boy, Witte, Mr. Speaker.
Total 22

Excused: Ward.

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Total 1

Absent or not voting: None.

Total 0

HB 688 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Windy Boy, Mr. Speaker.

Total 89

Noes: Barrett, Callahan, Dickenson, Franklin, Hands, Pomnichowski, Van Dyk, Wilson, Wiseman, Witte.

Total 10

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 695 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 726 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde,

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Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 70

Noes: Barrett, Beck, Blasdel, Butcher, Clark, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Koopman, Lake, Lambert, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Wells.

Total 29

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 728 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 88

Noes: Caferro, Driscoll, Hands, Jayne, Musgrove, Pomnichowski, Raser, Reinhart, Van Dyk, Wilmer, Wiseman.

Total 11

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 761 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 66

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, O'Hara, Olson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

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Total 33

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 763 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Excused: Ward.

Total 1

Absent or not voting: Franklin.

Total 1

HB 766 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 769 passed as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 76

Noes: Augare, Becker, Bixby, Caferro, Campbell, Cordier, Furey, Groesbeck, Henry, Hollenbaugh, Jayne, Jore, Koopman, McAlpin, Mendenhall, Musgrove, Noonan, Reinhart, Sands, Sesso, Van Dyk, Wells, Mr. Speaker.

Total 23

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 782 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Jore, Kasten, Koopman, Lake, Malcolm, Mendenhall, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 795 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 69

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Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 30

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 5:00 p.m., Monday, March 5, 2007. Motion carried.

House adjourned at 5:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 5, 2007

House Chambers
State Capitol

House convened at 5:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Lake. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representatives Ward, Wilson, Phillips, Caferro, French, and Van Dyk who were excused. Quorum present.

Speaker Sales introduced the pages for the week:

Pages:	Katie Seidel, Kalispell
	Joe Sandru, Twin Bridges
	Traci Brumwell, Dutton
	Gwendolyn Coon, Helena
	Colby Johnson, Conrad
	Ethan Keeler, Butte
	Cassie Moyer, Townsend

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/27/2007

SB 149, introduced by Tash
SB 160, introduced by Schmidt
SB 202, introduced by Laslovich
SB 219, introduced by Balyeat
SB 309, introduced by Balyeat
SB 337, introduced by Wanzenried
SB 339, introduced by Murphy
SB 407, introduced by Bales
SB 413, introduced by Moss
SB 426, introduced by Jent
SB 432, introduced by Brueggeman
SB 437, introduced by Elliott
SB 439, introduced by Elliott
SB 448, introduced by Wanzenried
SB 449, introduced by Gillan
SB 451, introduced by Harrington
SB 467, introduced by Cocchiarella
SB 481, introduced by Wanzenried
SB 497, introduced by Moss
SB 503, introduced by Perry
SB 504, introduced by Kaufmann
SB 509, introduced by Gallus
SB 527, introduced by Gillan
SB 531, introduced by Weinberg
SB 535, introduced by Cocchiarella
SB 537, introduced by Brown

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SB 538, introduced by Elliott

SB 541, introduced by Brueggeman

SB 544, introduced by Hansen

SB 547, introduced by Perry

SJR 13, introduced by Smith

SJR 16, introduced by Lind

SJR 17, introduced by Elliott

SB 21, introduced by J. Peterson

SJR 25, introduced by J. Peterson

SJR 26, introduced by Laible

SB 404, introduced by Lind, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

2/27/2007

Yeas - 50

Nays - 0

Senate bills passed and transmitted to the House for concurrence:

2/28/2007

SB 242, introduced by Elliott

SB 332, introduced by Juneau

SB 346, introduced by Shockley

SB 378, introduced by Gillan

SB 393, introduced by Gillan

SB 419, introduced by Lind

SB 423, introduced by Kaufmann

SB 428, introduced by Kaufmann

SB 445, introduced by M. Tropila

SB 450, introduced by Juneau

SB 452, introduced by Williams

SB 473, introduced by Black

SB 475, introduced by Larson

SB 480, introduced by Lind

SB 486, introduced by Shockley

SB 487, introduced by Story

SB 498, introduced by Kaufmann

SB 508, introduced by Hawks

SB 514, introduced by Balyeat

SB 517, introduced by Black

SB 518, introduced by Perry

SB 532, introduced by Gallus

SB 533, introduced by M. Tropila

SB 536, introduced by Perry

SB 539, introduced by Wanzenried

SB 540, introduced by Jackson

SB 542, introduced by Ryan

Senate joint resolutions adopted and transmitted to the House for concurrence:

2/28/2007

SJR 20, introduced by Cooney

SB 326, introduced by Schmidt, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

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Yeas - 43

Nays - 7

SB 489, introduced by Cocchiarella, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 50

Nays - 0

SB 529, introduced by Essmann, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and was transmitted to the House with the following vote:

Yeas - 29

Nays - 21

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 50, introduced by Gallus (by request of the Department of Corrections), referred to Judiciary.

SB 51, introduced by Hawks (by request of the Education and Local Government Interim Committee), referred to Local Government.

SB 53, introduced by Cocchiarella (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

SB 54, introduced by Cocchiarella (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

SB 55, introduced by Ryan (by request of the Office of Budget and Program Planning), referred to Education.

SB 56, introduced by Ryan (by request of the Office of Public Instruction), referred to Education.

SB 59, introduced by Hansen (by request of the Department of Livestock), referred to Agriculture.

SB 60, introduced by Cobb (by request of the Legislative Finance Committee), referred to Federal Relations, Energy, and Telecommunications.

SB 62, introduced by Cobb, referred to Judiciary.

SB 63, introduced by Cobb, referred to Judiciary.

SB 65, introduced by Cobb (by request of the Legislative Finance Committee), referred to Appropriations.

SB 66, introduced by Wanzenried (by request of the Legislative Council), referred to Appropriations.

SB 67, introduced by Wanzenried (by request of the Department of Justice), referred to Judiciary.

SB 68, introduced by Wanzenried (by request of the Department of Commerce), referred to Appropriations.

SB 69, introduced by Wanzenried (by request of the Department of Commerce), referred to Taxation.

SB 70, introduced by J. Tropila (by request of the Department of Military Affairs), referred to State Administration.

SB 71, introduced by Gebhardt (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 72, introduced by Squires (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 73, introduced by McGee (by request of the Secretary of State), referred to Judiciary.

SB 74, introduced by Jent (by request of the Department of Administration), referred to Judiciary.

SB 75, introduced by Hawks (by request of the Department of Natural Resources and Conservation), referred to Appropriations.

SB 76, introduced by Gillan (by request of the Legislative Finance Committee and the Revenue and Transportation Interim Committee), referred to Taxation.

SB 77, introduced by Clark (by request of the Legislative Finance Committee), referred to Fish, Wildlife and Parks.

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SB 79, introduced by McAlpin (by request of the Legislative Finance Committee), referred to Appropriations.
SB 81, introduced by Hamilton (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Business and Labor.
SB 83, introduced by Schmidt (by request of the Department of Public Health and Human Services), referred to Judiciary.
SB 84, introduced by Elliott (by request of the State Auditor), referred to Natural Resources.
SB 85, introduced by Schmidt, referred to Judiciary.
SB 88, introduced by Hawks (by request of the Department of Commerce), referred to Taxation.
SB 89, introduced by Williams, referred to Education.
SB 90, introduced by Laslovich (by request of the Department of Public Health and Human Services), referred to State Administration.
SB 92, introduced by Steinbeisser (by request of the Department of Administration), referred to Judiciary.
SB 94, introduced by Esp (by request of the Department of Public Health and Human Services), referred to Human Services.
SB 95, introduced by Smith (by request of the Department of Public Health and Human Services), referred to Human Services.
SB 97, introduced by Cocchiarella (by request of the Department of Justice), referred to Business and Labor.
SB 98, introduced by Harrington (by request of the Legislative Council), referred to State Administration.
SB 99, introduced by Harrington (by request of the Department of Revenue), referred to Taxation.
SB 100, introduced by Jent, referred to Fish, Wildlife and Parks.
SB 101, introduced by Jent (by request of the Capitol Complex Advisory Council), referred to State Administration.
SB 102, introduced by Lind (by request of the Environmental Quality Council), referred to State Administration.
SB 103, introduced by Lind (by request of the Environmental Quality Council), referred to Natural Resources.
SB 104, introduced by Squires (by request of the Department of Justice), referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Barrett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 26 - Representative McGillvray moved **HB 26** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Erickson, Everett, Gallik, Groesbeck, Hands, Jopek, Jore, Kasten, Kerns, McAlpin, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.
Total 15

Voted Absentee: Caferro, French, Phillips, Ward, Wilson, Ayes.

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Excused: Van Dyk.
Total 1

Absent or not voting: None.
Total 0

HB 27 - Representative Driscoll moved **HB 27** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Beck, Blasdel, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Mendenhall, Morgan, Nooney, Peterson, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 28

Voted Absentee: Caferro, French, Phillips, Ward, Wilson, Ayes.

Excused: Van Dyk.
Total 1

Absent or not voting: None.
Total 0

HB 790 - Representative L. Jones moved **HB 790** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Caferro, French, Phillips, Ward, Wilson, Ayes.

Excused: Van Dyk.
Total 1

Absent or not voting: None.
Total 0

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Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Barrett moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Jore, Sonju.

Total 2

Excused: Caferro, French, Phillips, Van Dyk, Ward, Wilson.

Total 6

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved that **HB 27** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 790** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, March 6, 2007. Motion carried.

House adjourned at 5:48 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 6, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Representative Augare introduced Dr. Henrietta Mann who gave the invocation. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ward and Representative Van Dyk who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-first, forty-second, and forty-third legislative days, find the same to be correct.

L. Jones, Chair

Speaker Sales introduced students from the Montana School for the Deaf and the Blind who perform as "Expressions of Silence."

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. The House reconvened at 1:40 p.m.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 165, introduced by Brueggeman (by request of the Department of Administration), referred to Business and Labor.

SB 300, introduced by Cooney, Lind, Smith, Lewis, Parker, Gillan, Laible, Harrington, Moss, Franklin, Squires, referred to Judiciary.

SB 312, introduced by Lind, Cobb, Butcher, Wiseman, Gillan, Schmidt, Kottel, Klock, Olson, Everett, Driscoll, Campbell, Grinde, Augare, Becker, Branae, Elliott, Perry, Stoker, Mendenhall, Ankney (by request of the Department of Administration), referred to Business and Labor.

SB 417, introduced by Brown, Gillan, Moss, Thomas, Blasdel, Kaufmann, Gebhardt, Black, J. Peterson, Grinde, Harrington, McNutt, Olson, Sonju, Hollenbaugh, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 15, introduced by J. Tropila, Brown, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Reinhart in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 644 - Representative Sonju moved **HB 644** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake,

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Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Bixby, Campbell, Cohenour, Musgrove, Wilson.

Total 5

Voted Absentee: Ward, Aye.

Excused: Van Dyk.

Total 1

Absent or not voting: Caferro.

Total 1

HB 333 - Governor's Amendments - Representative McChesney moved Governor's amendments to **HB 333** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Cohenour, Dutton, Everett, Gallik, Hands, Hawk, Heinert, Himmelberger, Ingraham, Jayne, W. Jones, Kerns, Lake, McGillvray, Mendenhall, Peterson, Sinrud, Stoker, Ward, Witte, Mr. Speaker.

Total 21

Voted Absentee: Van Dyk, Aye; Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 57 - Representative Franklin moved **HB 57** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

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Noes: Beck, Blasdel, Boggio, Everett, Heinert, Jore, Kasten, Kerns, Koopman, McGillvray, Peterson, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Witte, Mr. Speaker.

Total 19

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Franklin, Stahl.

Total 2

HB 284 - Representative Augare moved consideration of **HB 284** be passed for the day. Motion carried.

HB 401 - Representative Villa moved **HB 401** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Beck, Blasdel, Boggio, Clark, Everett, Jore, Kasten, Kerns, Koopman, Peterson, Sinrud, Sonju, Witte, Mr. Speaker.

Total 14

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 583 - Representative Jopek moved **HB 583** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Thomas, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Glaser, Hawk, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Rice, Ripley, Ross, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Witte, Mr. Speaker.

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Total 32

Voted Absentee: Ward, Aye; Van Dyk, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 611 - Representative Jacobson moved **HB 611** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 74

Noes: Beck, Blasdel, Butcher, Everett, Heinert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Sonju, Stoker, Taylor, Vincent, Witte, Mr. Speaker.
Total 25

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

HB 630 - Representative Gallik moved **HB 630** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Beck, Everett, Hawk, Jayne, Kasten, Mendenhall, Ripley, Sinrud.
Total 8

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HJR 22 - Representative W. Jones moved **HJR 22** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Boggio, Dutton, Everett, Hawk, Jayne, Jore, Kasten, Koopman, Mendenhall, Ross, Sinrud, Wells, Mr. Speaker.
Total 13

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

HJR 33 - Representative Thomas moved **HJR 33** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 80

Noes: Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Jayne, Jore, Kasten, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Ross, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.
Total 20

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 39 - Representative Erickson moved **HJR 39** be adopted. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Boggio, Butcher, Dutton, Everett, Hilbert, Himmelberger, Jayne, Jore, Koopman, Malcolm, McGillvray, Ripley, Ross, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 19

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 15 - Representative Thomas moved **SB 15** be concurred in.

SB 15 - Representative Driscoll moved **SB 15**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jore, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.

Total 42

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.

Total 58

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 15 - Representative Kottel moved **SB 15**, second reading copy, be amended.

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Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.
Total 43

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.
Total 57

Voted Absentee: Van Dyk, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 15 - Representative Thomas moved **SB 15** be concurred in.

SB 15 - Representative Keane moved for cloture.

SB 15 - The motion that **SB 15** be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 65

Noes: Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jayne, Jore, Kerns, Koopman, Kottel, McAlpin, McGillvray, McNutt, Musgrove, Phillips, Raser, Reinhart, Sands, Ward, Wells, Wilmer, Wiseman.
Total 35

Voted Absentee: Van Dyk, Aye; Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Reinhart moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Becker, Caferro, Callahan, Cohenour, Dickenson, Franklin, Furey, Jayne, Jopek, Jore, Koopman, Musgrove.

Total 12

Excused: Van Dyk, Ward.

Total 2

Absent or not voting: Phillips, Sesso, Thomas.

Total 3

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 26 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wilmer, Windy Boy, Wiseman, Witte.

Total 80

Noes: Erickson, Franklin, Gallik, Groesbeck, Hands, Jopek, Jore, Kasten, Kerns, Koopman, Lake, McAlpin, Mendenhall, Sinrud, Wells, Wilson, Mr. Speaker.

Total 17

Excused: Van Dyk, Ward.

Total 2

Absent or not voting: Caferro.

Total 1

MOTIONS

Representative Mendenhall objected to the introduction of **HB 812** to the floor. Representative Windy Boy spoke against the objection. Majority Leader Lange moved **HB 812** be referred to a Rules Committee meeting to begin at

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3:30 p.m. There being no objections, so ordered.

Majority Leader Lange moved **HB 401** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 644** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **HB 630** be rereferred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved **SB 74** be taken from the Committee on Judiciary and be rereferred to the Committee on Business and Labor. There being no objections, so ordered.

Majority Leader Lange moved **SB 92** be taken from the Committee on Judiciary and be rereferred to the Committee on Business and Labor. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, March 7, 2007. Motion carried.

House adjourned at 3:34 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 7, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Kottel. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ward, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-fourth, forty-sixth and forty-seventh legislative days, find the same to be correct.

L. Jones, Chair

Marilyn Miller, Chief Clerk
House of Representatives
Capitol Station
Helena, MT 59602

Dear Marilyn:

This letter is to inform you that I have named Representative Roger Koopman to the Economic Development Advisory Council.

Sincerely,

Scott Sales
Speaker of the House

cc: Representative Roger Koopman
Ms. Susan Fox
Ms. Janice Wannebo

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/7/2007
Correctly printed: **SB 10, SB 11, SB 35.**

STATE ADMINISTRATION (Himmelberger, Chairman): 3/6/2007
SR 10, be concurred in. Report adopted.
SR 11, be concurred in. Report adopted.
SR 35, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman): 3/7/2007
SB 8, be concurred in. Report adopted.
SB 20, be concurred in. Report adopted.
SB 39, be concurred in. Report adopted.
SB 40, be concurred in. Report adopted.
SB 101, be concurred in. Report adopted.

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FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 78, introduced by Larson, referred to Fish, Wildlife and Parks.

SB 306, introduced by Harrington, Jayne, Kaufmann, Brown, Williams, Larson, Noonan, Campbell, Villa, Small-Eastman, Windy Boy, Bixby, Wanzenried, Jopek, Sesso, Groesbeck, Musgrove, Gallus, Henry, Branae, Raser, Dickenson, Reinhart, Sands, Weinberg, Caferro, Wilmer, Cordier, French, Keane, Erickson, referred to Judiciary.

SB 288, introduced by Schmidt, Perry, Clark, Sesso, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vincent in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 407 - Representative Lange moved consideration of **HB 407** be passed for the day. Motion carried.

HB 284 - Representative Augare moved **HB 284** do pass.

HB 284 - Representative Augare moved **HB 284**, second reading copy, be amended as follows:

1. Title, line 10.

Following: "~~APPROPRIATION;~~"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 12.

Insert: "NEW SECTION. **Section 2. Appropriation.** There is appropriated \$500 from the general fund to the department of fish, wildlife, and parks for the purposes of [section 1]."

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 85

Noes: Barrett, Boggio, Butcher, Everett, Hawk, Heinert, Jore, Kasten, Lake, McGillvray, Rice, Ripley, Ward, Mr. Speaker.

Total 14

Voted Absentee: Ward, No.

Excused: None.

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Total 0

Absent or not voting: Stahl.

Total 1

HB 284 - The motion to pass **HB 284**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Rice, Ross, Sinrud, Sonju, Stoker, Ward, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 637 - Representative Klock moved **HB 637** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Dickenson, Everett, Hands, McGillvray, Musgrove.

Total 5

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Sinrud, Wilmer.

Total 2

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HB 719 - Representative Wilmer moved **HB 719** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 86

Noes: Everett, Hawk, Ingraham, Jore, Kasten, Koopman, Lake, McGillvray, Ripley, Ross, Wells, Witte, Mr. Speaker.
Total 13

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 556 - Representative McChesney moved **HB 556** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, BEck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jones L, Jones W, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None
Total 0

Voted Absentee: Ward, Aye.

Absent or not voting: None
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Vincent moved the Committee of the Whole report be adopted.

Mr. Speaker in the chair. Chairman Reinhart moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Jore, Musgrove.
Total 2

Excused: None.
Total 0

Absent or not voting: Caferro, Jones W, Parker, Stahl.
Total 4

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 57 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Blasdel, Boggio, Everett, Jore, Kasten, Kerns, Koopman, McGillvray, Peterson, Ripley, Ross, Sinrud, Witte, Mr. Speaker.
Total 14

Excused: Ward.
Total 1

Absent or not voting: Caferro, L. Jones.
Total 2

HB 333 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski,

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Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 66

Noes: Cohenour, Dickenson, Dutton, Everett, Franklin, Gallik, Hands, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Ripley, Sinrud, Stoker, Witte, Mr. Speaker.

Total 29

Excused: Ward.

Total 1

Absent or not voting: Beck, Caferro, L. Jones, Klock.

Total 4

HB 583 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 66

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, O'Hara, Rice, Ripley, Ross, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 32

Excused: Ward.

Total 1

Absent or not voting: Caferro.

Total 1

HB 611 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 69

Noes: Beck, Blasdel, Butcher, Clark, Everett, Glaser, Hawk, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 28

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Excused: Ward.
Total 1

Absent or not voting: Caferro, L. Jones.
Total 2

HJR 22 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 83

Noes: Boggio, Dutton, Everett, Hawk, Jayne, Jore, Kasten, Koopman, McGillvray, Mendenhall, Ross, Sinrud, Wells, Mr. Speaker.
Total 14

Excused: Ward.
Total 1

Absent or not voting: Caferro, L. Jones.
Total 2

HJR 33 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 73

Noes: Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Jayne, Jore, Kasten, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Rice, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Mr. Speaker.
Total 24

Excused: Ward.
Total 1

Absent or not voting: Caferro, L. Jones.
Total 2

HJR 39 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Callahan, Campbell, Clark, Cohenour,

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Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Barrett, Beck, Boggio, Butcher, Dutton, Everett, Hilbert, Himmelberger, Jayne, Jore, Koopman, Lange, Malcolm, McGillvray, Morgan, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Excused: Ward.

Total 1

Absent or not voting: Caferro, L. Jones.

Total 2

SB 15 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cohenour, Cordier, Dutton, Everett, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, W. Jones, Jopek, Kasten, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilson, Windy Boy, Wiseman, Witte.

Total 65

Noes: Becker, Bixby, Branae, Callahan, Campbell, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Jore, Kerns, Koopman, Kottel, McAlpin, McGillvray, McNutt, Musgrove, Phillips, Raser, Reinhart, Sands, Wells, Wilmer, Mr. Speaker.

Total 32

Excused: Ward.

Total 1

Absent or not voting: Caferro, L. Jones.

Total 2

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Vincent in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 43 - Representative Rice moved **HJR 43** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Becker, Callahan, Dickenson, Erickson, Hands, Jayne, Mendenhall, Villa, Wilson.

Total 9

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 96 - Representative Kerns moved **HB 96** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte.

Total 80

Noes: Bergren, Bixby, Callahan, Campbell, Dickenson, Everett, Franklin, Gallik, Hands, Hollenbaugh, Ingraham, Mendenhall, Musgrove, Raser, Ripley, Sands, Sinrud, Villa, Wilson, Mr. Speaker.

Total 20

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 298 - Representative Hiner moved **HB 298**, do pass. Motion, which requires a three-fourth vote of each house, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Beck, Butcher, Heinert, Hendrick, Hilbert, Ingraham, Jore, Kerns, Koopman, Lake, McGillvray, Mendenhall, Milburn, Sinrud, Stoker, Ward, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: L. Jones.

Total 1

HJR 28 - Representative Cohenour moved **HJR 28** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 34

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Vincent moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 89

Noes: Franklin, Jayne, Jore, Mendenhall, Wells.

Total 5

Excused: Ward.

Total 1

Absent or not voting: Hilbert, L. Jones, McChesney, Milburn, Vincent.

Total 5

MOTIONS

Majority Leader Lange moved that **HB 637** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 719** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 556** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 49** be re-referred from the Committee on Education to the Committee on Judiciary. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, March 8, 2007. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FORTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 8, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ross. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ward, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

Correctly printed: **SB 8, SB 20, SB 39, SB 40, SB 101.** 3/7/2007

BUSINESS AND LABOR (Mendenhall, Chairman): 3/8/2007

SB 32, be concurred in. Report adopted.

SB 43, be concurred in. Report adopted.

SB 53, be concurred in. Report adopted.

SB 54, be concurred in. Report adopted.

SB 97, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman): 3/8/2007

SB 70, be concurred in. Report adopted.

SB 72, be concurred in. Report adopted.

SB 90, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 813, introduced by Small-Eastman, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

SB 108, introduced by Cocchiarella (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 112, introduced by Lewis, referred to Fish, Wildlife and Parks.

SB 113, introduced by Lewis, referred to Appropriations.

SB 114, introduced by Larson, referred to Business and Labor.

SB 115, introduced by Jent, referred to Fish, Wildlife and Parks.

SB 116, introduced by Brueggeman, Keane, Gallik, Steinbeisser, Hansen, Milburn, McGillvray, Cocchiarella (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

SB 117, introduced by Cobb, referred to State Administration.

SB 118, introduced by Cobb, referred to Appropriations.

SB 119, introduced by Moss (by request of the Department of Justice), referred to Judiciary.

SB 121, introduced by Elliott (by request of the Department of Revenue), referred to Taxation.

SB 122, introduced by Kitzenberg, referred to Transportation.

SB 123, introduced by Williams (by request of the Office of Public Instruction), referred to Education.

SB 124, introduced by Harrington (by request of the Department of Public Health and Human Services), referred to Judiciary.

SB 125, introduced by Harrington (by request of the Department of Public Health and Human Services), referred to Judiciary.

SB 126, introduced by Gallus (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife

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and Parks.

SB 127, introduced by Wanzenried (by request of the Department of Revenue), referred to Business and Labor.

SB 130, introduced by Story (by request of the Environmental Quality Council), referred to Judiciary.

SB 131, introduced by Cobb (by request of the Board of Land Commissioners), referred to Natural Resources.

SB 132, introduced by Gallus, referred to Human Services.

SB 133, introduced by Essmann, referred to Judiciary.

SB 136, introduced by J. Tropila (by request of the Department of Military Affairs), referred to State Administration.

SB 137, introduced by Laible (by request of the Legislative Finance Committee), referred to Appropriations.

SB 139, introduced by Harrington (by request of the Governor), referred to Taxation.

SB 140, introduced by Weinberg (by request of the State Auditor), referred to Business and Labor.

SB 141, introduced by Laslovich (by request of the Department of Justice), referred to Judiciary.

SB 142, introduced by Lind (by request of the Department of Public Health and Human Services), referred to Judiciary.

SB 143, introduced by Shockley (by request of the Department of Fish, Wildlife, and Parks), referred to Judiciary.

SB 146, introduced by Shockley (by request of the Department of Corrections), referred to Judiciary.

SB 147, introduced by Shockley (by request of the Environmental Quality Council), referred to Natural Resources.

SB 150, introduced by Gillan (by request of the Department of Revenue), referred to Taxation.

SB 152, introduced by Ryan (by request of the Governor), referred to Education.

SB 153, introduced by Cocchiarella (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 155, introduced by Williams, Hiner, W. Jones (by request of the Department of Public Health and Human Services), referred to Appropriations.

SB 157, introduced by Ryan (by request of the State Auditor), referred to Business and Labor.

SB 158, introduced by Cocchiarella (by request of the Department of Transportation), referred to Transportation.

SB 161, introduced by Laible (by request of the State Auditor), referred to Taxation.

SB 162, introduced by Schmidt (by request of the Department of Public Health and Human Services), referred to Human Services.

SB 163, introduced by Shockley (by request of the Department of Justice), referred to Judiciary.

SB 164, introduced by Gallus (by request of the Public Defender Commission), referred to Judiciary.

SB 166, introduced by J. Tropila (by request of the Governor), referred to Fish, Wildlife and Parks.

SB 186, introduced by Lewis, referred to Business and Labor.

SB 205, introduced by Jent, referred to Transportation.

SB 237, introduced by Brueggeman, referred to Transportation.

SB 276, introduced by Steinbeisser, McChesney, Black, referred to Business and Labor.

SB 309, introduced by Balyeat, Hendrick, Koopman, Butcher, Boggio, Everett, Wells, Lange, Curtiss, Bales, O'Hara, J. Peterson, Beck, Lewis, W. Jones, Olson, Campbell, Ward, Blasdel, Kitzenberg, Jent, Stoker, Jore, Jackson, Perry, O'Neil, Rice, Murphy, McGillvray, Windy Boy, Heinert, referred to Judiciary.

SB 337, introduced by Wanzenried, Gillan, Larson, Moss, Grinde, Van Dyk, Driscoll, Becker, Branae, Wilmer, Wiseman, Noonan, Harrington, Groesbeck, Sesso, Gallus, Villa, Parker, Cohenour, Cooney, Gallik, Kaufmann, Erickson, Henry, Hands, Williams, Lind, McAlpin, Wanzenried, Windy Boy, Bergren, Bixby, Small-Eastman, Smith, Jopek, referred to Judiciary.

SB 349, introduced by Ryan, referred to Local Government.

SB 354, introduced by Lind, referred to Human Services.

SB 359, introduced by Cocchiarella, Gebhardt, Squires, Olson, Squires, J. Tropila, referred to State Administration.

SB 376, introduced by Jackson, Hendrick, O'Neil, Ross, Heinert, Sesso, Musgrove, Kaufmann, Barkus, Vincent, Curtiss, Lambert, Jopek, Gebhardt, J. Peterson, Glaser, Erickson, Ankney, referred to Natural Resources.

SB 382, introduced by Laslovich, referred to Judiciary.

SB 383, introduced by Laslovich, referred to Judiciary.

SB 385, introduced by Cobb, referred to Judiciary.

SB 390, introduced by Juneau, Bixby, Kaufmann, Campbell, Erickson, Hamilton, Augare, Sands, Pease, Ankney,

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referred to Education.

SB 391, introduced by Weinberg, referred to Natural Resources.

SB 426, introduced by Jent, K. Peterson, O'Neil, Laslovich, referred to Business and Labor.

SB 430, introduced by Elliott, referred to Taxation.

SB 432, introduced by Brueggeman, referred to Natural Resources.

SB 473, introduced by Black, referred to Transportation.

SB 536, introduced by Perry, Laslovich, referred to Federal Relations, Energy, and Telecommunications.

SB 541, introduced by Brueggeman, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Phillips in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 407 - Representative Vincent moved **HB 407** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Butcher, Everett, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall, Wells.

Total 9

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 545 - Representative Lange moved consideration of **HB 545** be passed for the day. Motion carried.

HB 701 - Representative Lange moved consideration of **HB 701** be passed for the day. Motion carried.

HB 216 - Representative Wilmer moved **HB 216** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm,

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McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Rice, Ripley, Ross, Sinrud, Stoker, Ward, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Ward, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 236 - Representative Jacobson moved **HB 236** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Boggio, Everett, Jore, Kasten, Kerns, Koopman, Sinrud, Wells, Witte, Mr. Speaker.

Total 10

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Klock.

Total 1

HB 567 - Representative Koopman moved **HB 567** do pass.

HB 567 - Representative Koopman moved **HB 567**, second reading copy, be amended:

Amendment **failed** as follows:

Ayes: Barrett, Becker, Blasdel, Butcher, Dickenson, Everett, Glaser, Hawk, Hendrick, Himmelberger, L. Jones, Jore, Kerns, Koopman, Lambert, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Ripley, Sinrud, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 28

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Noes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Lange, MacLaren.
Total 2

HB 567 - The motion to pass **HB 567** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Gallik, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, McNutt, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 59

Noes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Cohenour, Dutton, Erickson, Everett, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jayne, Jopek, Kasten, Keane, Kottel, Malcolm, McChesney, Mendenhall, Milburn, Musgrove, Noonan, Raser, Ripley, Sesso, Sinrud, Stoker, Van Dyk, Villa, Vincent, Witte, Mr. Speaker.
Total 41

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 737 - Representative Hilbert moved **HB 737** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Keane, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.
Total 73

Noes: Beck, Bergren, Campbell, Everett, Franklin, Hendrick, Himmelberger, Jayne, W. Jones, Jopek, Jore, Kasten, Kerns, Koopman, Lambert, Lange, McGillvray, Mendenhall, Noonan, Rice, Ripley, Sinrud, Stoker, Wells, Wilson,

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Witte, Mr. Speaker.
Total 27

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 778 - Representative Stahl moved **HB 778** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jayne, Jore, Koopman.
Total 3

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 10 - Representative Wilmer moved **SB 10** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 90

Noes: Blasdel, Boggio, Everett, Heinert, Kasten, Mendenhall, Sinrud, Taylor, Witte, Mr. Speaker.
Total 10

Voted Absentee: Ward, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 11 - Representative Himmelberger moved **SB 11** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Boggio, Jore, Kasten, Mendenhall, Taylor.
Total 5

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Branae.
Total 1

SB 35 - Representative Hendrick moved **SB 35** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Phillips moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 86

Noes: Callahan, Furey, Jore, Mendenhall, Sonju.

Total 5

Excused: Ward.

Total 1

Absent or not voting: Bixby, Dutton, Franklin, L. Jones, Kasten, Phillips, Ripley, Sinrud.

Total 8

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 96 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 83

Noes: Bergren, Callahan, Campbell, Everett, Franklin, Hands, Ingraham, Jore, Kasten, Mendenhall, Musgrove, Raser, Ripley, Mr. Speaker.

Total 14

Excused: Ward.

Total 1

Absent or not voting: Bixby, Wells.

Total 2

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HB 298 failed (due to three-forths vote of each house requirement) as follows:

Ayes: Ankney, Augare, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Milburn, O'Hara, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Witte, Mr. Speaker.

Total 38

Excused: Ward.

Total 1

Absent or not voting: Bixby, Wells.

Total 2

HJR 28 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Nooney, Peterson, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Witte, Mr. Speaker.

Total 33

Excused: Ward.

Total 1

Absent or not voting: Bixby, L. Jones, Wells.

Total 3

HJR 43 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dutton, Ebinger, Everett, French, Furey, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

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Total 78

Noes: Becker, Bergren, Callahan, Campbell, Dickenson, Driscoll, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hands, Jayne, Jopek, Mendenhall, Noonan, Peterson, Sands, Villa, Windy Boy.

Total 20

Excused: Ward.

Total 1

Absent or not voting: Bixby.

Total 1

MOTIONS

Majority Leader Lange moved that **HB 680** be taken from the Committee on Appropriations and be re-referred to the Committee on Taxation. There being no objections, so ordered.

Majority Leader Lange moved that **HB 216** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 236** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 567** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

HB 298 - Representative Olson moved to reconsider the vote taken on **HB 298** and that the bill be placed on third reading. Motion **carried** as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Noonan, Nooney, Olson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 64

Noes: Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Milburn, Morgan, Peterson, Rice, Ross, Stahl, Stoker, Taylor, Vincent, Wells.

Total 28

Excused: Ward.

Total 1

Absent or not voting: Bixby, Everett, Lambert, Musgrove, O'Hara, Parker, Ripley.

Total 7

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

HOUSE JOURNAL
FORTY-NINTH LEGISLATIVE DAY - MARCH 8, 2007

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, March 9, 2007. Motion carried.

House adjourned at 2:58 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTIETH LEGISLATIVE DAY**

Helena, Montana
March 9, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Thomas. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Augare and Representative Ward, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/8/2007

Correctly printed: **SB 32, SB 43, SB 53, SB 54, SB 70, SB 72, SB 90, SB 97.**

Correctly enrolled: **HB 122, HB 126, HB 431, HJR 6.**

Correctly engrossed: **HB 804, HB 805, HB 806, HB 807, HB 808, HB 746, SB 21, SB 88.** 3/9/2007

Examined by the sponsor and found to be correct: **HB 122, HB 126, HB 431.**

Examined by the sponsor and found to be correct: **HJR 6.**

Signed by the Chief Clerk of the House at 3:15 a.m., March 9, 2007: **HB 122, HB 126, HB 431, HJR 6.**

Signed by the Speaker at 3:30 p.m., March 9, 2007: **HB 122, HB 126, HB 431, HJR 6.**

AGRICULTURE (Butcher, Chairman): 3/8/2007

SB 59, be concurred in. Report adopted.

APPROPRIATIONS (Sinrud, Chairman): 3/9/2007

HB 804, introduced bill, be amended as follows:

1. Page 13.

Following: line 27

Insert: "b. Drug Treatment Courts (Restricted/Biennial) 2,000,000" [general fund FY08]

2. Page 14.

Following: line 15

Insert: "Funds in Drug Treatment Courts may be used only to provide grants to drug treatment courts and for up to one full-time administrator, ongoing review of the operations of drug treatment courts, and the development of policies necessary to administer the provision of grants to drug treatment courts."

3. Page 17, line 17.

Strike: "21,586,371 22,354,124" [state special revenue FY08 and FY09]

Insert: "21,591,371 22,359,124" [state special revenue FY08 and FY09]

Strike: "1,395,725 1,400,762" [federal special revenue FY08 and FY09]

Insert: "1,410,725 1,410,762" [federal special revenue FY08 and FY09]

4. Page 17.

Following: line 23

Insert: "d. ACS Contract (Restricted) 234,449 256,151"
[state special revenue FY08 and FY09]

5. Page 17, line 27.

Strike: "99,830,324 99,582,118" [state special revenue FY08 and FY09]

Insert: "100,141,928 99,899,592" [state special revenue FY08 and FY09]

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6. Page 18, line 2.

Strike: "6,679,838 6,698,168" [state special revenue FY08 and FY09]

Insert: "6,687,088 6,705,418" [state special revenue FY08 and FY09]

7. Page 18, line 4.

Strike: "1,115,714 872,411" [state special revenue FY08 and FY09]

Insert: "1,138,714 895,411" [state special revenue FY08 and FY09]

8. Page 18, line 14.

Strike: "6,211,394 6,460,554" [state special revenue FY08 and FY09]

Insert: "6,693,382 6,942,542" [state special revenue FY08 and FY09]

Strike: "19,101,959 19,580,553" [federal special revenue FY08 and FY09]

Insert: "19,501,959 19,980,553" [federal special revenue FY08 and FY09]

9. Page 18.

Following: line 14

Insert: "a. Highway Traffic Safety Section 408 (OTO) 204,741 794,972 204,756 795,027" [state special revenue FY08, federal special revenue FY08, state special revenue FY09, and federal special revenue FY09]

10. Page 21, line 6. .

Strike: "387,690 379,679"

Insert: "0 0" [general fund FY08 and FY09]

11. Page 21, following line 6.

Insert: "a. Workers' Compensation Cost Containment (OTO)

387,690 379,679" [general fund FY08 and FY09]

And, as amended, do pass. Report adopted.

HB 805, introduced bill, be amended as follows:

1. Page 14, line 26.

Strike: "8,471,970 8,534,992" [state special revenue FY08 and FY09]

Insert: "9,284,165 9,347,117" [state special revenue FY08 and FY09]

2. Page 15, line 3.

Strike: "827,195 827,195" [state special revenue FY08 and FY09]

Insert: "15,000 15,000" [state special revenue FY08 and FY09]

3. Page 16.

Strike: line 2 through line 3

Renumber: subsequent subsection

4. Page 17, line 2.

Strike: line 2 in its entirety

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5. Page 20, line 27.

Strike: "84,624 97,021" [proprietary fund FY08 and FY09]

Insert: "83,874 84,021" [proprietary fund FY08 and FY09]

5. Page 21, line 4.

Strike: "0" [proprietary fund FY08 and FY09]

Insert: "750 13,000" [proprietary fund FY08 and FY09]

6. Page 21, line 17.

Strike: "3,681,617 3,684,131" [state special revenue FY08 and FY09]

Insert: "3,668,232 3,670,746" [state special revenue FY08 and FY09]

7. Page 24, line 21.

Strike: "\$.025 \$.025"

Insert: "\$0.25 \$0.25"

And, as amended, do pass. Report adopted.

HB 806, introduced bill, be amended as follows:

1. Page 13, line 12.

Strike: "4,588,875 4,615,834" [general fund FY08 and FY09]

Insert: "4,879,993 4,896,802" [general fund FY08 and FY09]

Strike: "517,954 518,319" [federal funds FY08 and FY09]

Insert: "560,968 559,845" [federal funds FY08 and FY09]

2. Page 14, line 3.

Strike: "3,844,968 3,872,363" [general fund FY08 and FY09]

Insert: "3,923,003 3,946,573" [general fund FY08 and FY09]

3. Page 14.

Following: line 3

Insert: "a. Methamphetamine Watch Program (Restricted/OTO)

2,000,000 2,000,000 [general fund FY08 and FY09]

b. Child Sexual Abuse Support Function (Restricted/Biennial) 500,000" [general fund FY08]

4. Page 14.

Following: line 19

Insert: "c. Child Forensic Interview Specialist(Restricted) 95,885 92,121" [general fund FY08 and FY09]

5. Page 14.

Following: line 22

Insert: "General fund money of \$167,066 in fiscal year 2008 and \$161,247 in fiscal year 2009 and 2 FTE included in Legal Services Division for prosecution services are contingent upon passage and approval of House Bill No. 12 in a form that does not include an appropriation for this purpose.

General fund money of \$124,052 in fiscal year 2008 and \$119,721 in fiscal year 2009, federal funds of \$43,014 in fiscal year 2008 and \$41,526 in fiscal year 2009, and 2 FTE included in Legal Services Division for the child protection unit are contingent upon passage and approval of House Bill No. 12 in a form that does not include an

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appropriation for this purpose.

Methamphetamine Watch Program may be used only for the purpose of making grants for community awareness, as provided 44-4-1002(3), to private, nonprofit programs engaged in public awareness media campaigns to combat the use of methamphetamine, especially among the young.

Child Sexual Abuse Support Function may be used only to provide technical assistance and support to local governments and entities to respond to reports of child sexual abuse, including forensic interview training, equipment to document interviews, and assistance to multidisciplinary teams, using the cornerhouse model of training."

6. Page 15.

Following: line 3

Insert: "Funding in Child Forensic Interview Specialist may be used only to support a forensic scientist specializing in processing of evidence in child abuse and neglect cases, for conducting forensic interviews of children in child abuse and neglect cases, and for related costs."

7. Page 16, line 3.

Strike: "2,226,371 2,150,267" [general fund FY08 and FY09]

Insert: "5,306,512 5,306,512" [general fund FY08 and FY09]

8. Page 16, line 20.

Strike: "324,408 648,816" [general fund FY08 and FY09]

Insert: "3,140,760 4,085,831" [general fund FY08 and FY09]

9. Page 17.

Following: line 4

Insert: "Funding in Secure Care Provider Rate Increase is restricted to the provision of rate increases for regional prisons, as specified in 53-30-507, and an increase of 5% a year for other contractors of secure care services. Funding in Secure Care Provider Rate Increase may not be used to provide regional prisons an increase greater than 5% a year."

10. Page 17.

Following: line 18

Insert: "a. Silicosis Benefits -- HB 540

21,000 21,000" [general fund FY08 and FY09]

11. Page 18.

Following: line 7

Insert: "Silicosis Benefits is contingent upon passage and approval of House Bill No. 540."

And, as amended, do pass. Report adopted.

HB 807, introduced bill, be amended as follows:

1. Page 15, line 2.

Strike: "11"

Insert: "7"

2. Page 15, line 3.

Strike: "11"

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Insert: "7"

3. Page 15, line 5.

Strike: "15% "

Insert: "10% "

4. Page 15, line 17.

Strike: "10% "

Insert: "5% "

Strike: "60"

Insert: "30"

5. Page 15, line 19.

Strike: "10% "

Insert: "5% "

6. Page 15, line 20.

Strike: "30"

Insert: "15"

7. Page 18.

Following: line 26

Insert: "m. Regional Initiatives in Dental Education (Restricted/Biennial) 2,397,000 [general fund FY08]

n. Complete Construction Trades Portion of Great Falls COT Building Project (Restricted/Biennial) 3,000,000"
[general fund FY08]

8. Page 22.

Following: line 4

Insert: "Regional Initiatives in Dental Education may be used only to establish the regional dental education initiative program recommended by the feasibility study report conducted pursuant to House Bill No. 522 (Chapter 339, Laws of 2005)."

Complete Construction Trades Portion of Great Falls COT Building Project may be used only to complete the construction trades building project authorized by Chapter 499, Laws of 2005."

And, as amended, do pass. Report adopted.

HB 808, introduced bill, be amended as follows:

1. Page 14, line 4.

Strike: "27,195,871 27,258,023" [general fund FY08 and FY09]

Insert: "27,471,115 27,533,235" [general fund FY08 and FY09]

Strike: "190,662,281 199,929,871" [federal special revenue FY08 and FY09]

Insert: "190,961,707 200,229,161" [federal special revenue FY08 and FY09]

2. Page 21, line 19.

Following: "wages"

Insert: "and related benefits"

3. Page 21, line 22.

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Following: "hour"

Insert: "and to raise related benefits"

Following: "wages"

Insert: "and related benefits"

4. Page 21, line 23.

Following: "worker wage"

Insert: "and related benefits"

5. Page 24, line 7.

Following: "wages"

Insert: "and related benefits"

6. Page 24, line 10.

Following: "hour"

Insert: "and to raise related benefits"

Following: "wages"

Insert: "and related benefits"

7. Page 24, line 11.

Following: "worker wage"

Insert: "and related benefits"

8. Page 24, line 21.

Following: "wages"

Insert: "and related benefits"

9. Page 24, line 24.

Following: "hour"

Insert: "and to raise related benefits"

Following: "wages"

Insert: "and related benefits"

10. Page 24, line 25.

Following: "worker wage"

Insert: "and related benefits"

11. Page 25, line 2.

Strike: line 2 in its entirety

12. Page 25.

Following: line 4

Insert: "Senior and Long-Term Care Division"

13. Page 25, following line 15.

Insert: "County Nursing Home Intergovernmental Transfer may be used only to make one-time payments to nursing homes based on the number of medicaid services provided. The office of budget and program planning shall review the conditions applied to IGT Offset prior to allowing funds to be expended from County Nursing Home Intergovernmental Transfer."

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14. Page 25, line 27.

Following: "wages"

Insert: "and related benefits"

15. Page 26, lines 2 and 3.

Following: "raise the" on line 2

Strike: the remainder of line 2 through the second "workers" on line 3

Insert: "certified nurse aide and personal care attendant direct care worker wages and benefits to \$8.50 an hour, including related benefits. Any remaining funds may be used only to raise wages and related benefits up to \$0.70 an hour for direct care workers and other low-paid staff"

16. Page 26, line 4.

Following: "worker wage"

Insert: "and related benefits"

17. Page 26, line 14.

Following: "wages"

Insert: "and related benefits"

18. Page 26, line 17.

Following: "hour"

Insert: "and to raise related benefits"

Following: "wages"

Insert: "and related benefits"

19. Page 26, line 18.

Following: "worker wage"

Insert: "and related benefits"

And, as amended, do pass. Report adopted.

HB 809, do pass. Report adopted.

TAXATION (Lake, Chairman):

3/9/2007

SB 21, be amended as follows:

1. Title, line 5.

Strike: "WITH" through "LEVY"

And, as amended, be concurred in. Report adopted.

SB 69, be concurred in. Report adopted.

SB 76, be concurred in. Report adopted.

SB 88, be amended as follows:

1. Title, line 5.

Following: "EXTENDING"

Insert: "INDEFINITELY"

2. Title, line 6.

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Strike: "AMENDING"

Insert: "REPEALING"

3. Page 1, line 11 through line 12.

Strike: section 1 in its entirety

Insert: "NEW SECTION. **Section 1. Repealer.** Section 3, Chapter 469, Laws of 2001, is repealed."

And, as amended, be concurred in. Report adopted.

HB 746, be amended as follows:

1. Page 1, line 30.

Strike: "30% "

Insert: "12% "

2. Page 1, line 30 through page 2, line 1.

Strike: "value" on page 1, line 30 through "of the" on page 2, line 1

Insert: "contribution, as defined in 26 U.S.C. 170(c), for a"

3. Page 2, line 2.

Strike: "sections 3 and"

Insert: "section"

4. Page 2, line 3.

Strike: "\$10,000"

Insert: "\$3,000"

5. Page 2, line 20.

Strike: "30% "

Insert: "12% "

6. Page 3, line 13.

Strike: "1"

Insert: "2"

7. Page 3, line 17.

Following: "\$10,000"

Insert: ", subject to the limitations in [section 1(2)]"

8. Page 3, line 26.

Following: "15-30-103"

Insert: "or 15-31-101"

9. Page 4, line 3.

Strike: "\$10,000"

Insert: "\$3,000, subject to the limitation in [section 1(2)]"

10. Page 4, line 21.

Strike: "30"

Insert: "31"

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Strike: "11"
Insert: "1"

11. Page 4, line 22.
Strike: "30"
Insert: "31"
Strike: "11"
Insert: "1"

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 3/8/2007
HB 811, do pass. Report adopted.
SB 44, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/8/2007
HB 122, introduced by Keane
HB 126, introduced by Keane
HB 431, introduced by Blasdel
HJR 6, introduced by Phillips

MESSAGES FROM THE GOVERNOR

March 1, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 21** sponsored by Representative McChesney on March 1, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 64, introduced by Cobb, referred to Appropriations.
SB 82, introduced by Brueggeman (by request of the Legislative Council), referred to State Administration.
SB 91, introduced by Williams, referred to State Administration.
SB 93, introduced by Pease, referred to Appropriations.

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SB 96, introduced by Williams (by request of the Department of Justice), referred to Judiciary.

SB 129, introduced by Schmidt, referred to Education.

SB 145, introduced by Shockley (by request of the Environmental Quality Council), referred to Natural Resources.

SB 149, introduced by Tash (by request of the Department of Corrections and the Department of Public Health and Human Services), referred to Appropriations.

SB 160, introduced by Schmidt (by request of the Department of Transportation), referred to Transportation.

SB 172, introduced by J. Tropila (by request of the Commissioner of Political Practices), referred to State Administration.

SB 192, introduced by Essmann, referred to Judiciary.

SB 202, introduced by Laslovich, Williams, Kaufmann, Sands, Jent, referred to Appropriations.

SB 209, introduced by Essmann, referred to Business and Labor.

SB 219, introduced by Balyeat, Musgrove, referred to State Administration.

SB 235, introduced by Gallus, Bergren, Barkus, Elliott, referred to Appropriations.

SB 242, introduced by Elliott, referred to Taxation.

SB 253, introduced by Cooney, referred to State Administration.

SB 265, introduced by Kitzenberg, referred to Business and Labor.

SB 273, introduced by Jent, referred to Appropriations.

SB 279, introduced by Balyeat, Himmelberger, Koopman, Wells, Kitzenberg, Jackson, Murphy, Heinert, Dutton, Lewis, Curtiss, J. Peterson, K. Peterson, Story, Brown, Steinbeisser, Glaser, Cobb, Perry, McGillvray, Hendrick, Lambert, Barkus, Rice, Ingraham, referred to State Administration.

SB 284, introduced by Moss, Perry, referred to Taxation.

SB 286, introduced by Cooney, referred to State Administration.

SB 289, introduced by Gallus, Becker, referred to Education.

SB 293, introduced by Laible, referred to Natural Resources.

SB 294, introduced by Harrington, referred to Judiciary.

SB 168, introduced by Cohenour (by request of the Department of Administration), referred to State Administration.

SB 169, introduced by Hands (by request of the Law and Justice Interim Committee), referred to Judiciary.

SB 170, introduced by Thomas (by request of the Department of Justice), referred to Judiciary.

SB 173, introduced by Juneau (by request of the Governor's Office of Economic Development), referred to Business and Labor.

SB 175, introduced by Squires (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 177, introduced by Squires (by request of the State Administration and Veterans' Affairs Interim Committee), referred to Judiciary.

SB 178, introduced by Lewis, referred to Natural Resources.

SB 181, introduced by Cobb, referred to State Administration.

SB 185, introduced by Hawks, referred to Transportation.

SB 187, introduced by Bales, Tash, referred to Agriculture.

SB 193, introduced by Laslovich, referred to Judiciary.

SB 200, introduced by Lewis, Klock, Milburn, Williams, Ripley, Cobb, Ebinger, Musgrove, Hollenbaugh, Van Dyk, Olson, Sesso, Wanzenried, Hiner, Thomas, Cordier, referred to Natural Resources.

SB 203, introduced by Balyeat, referred to Local Government.

SB 291, introduced by Perry, Ryan, Tash, Koopman, referred to Education.

SB 339, introduced by Murphy, Hawks, Cobb, Tash, Lewis, Barkus, Stapleton, Wanzenried, referred to Business and Labor.

HB 814, introduced by Hamilton, Squires, referred to State Administration.

HB 815, introduced by Stahl, Lange, referred to Appropriations.

HB 816, introduced by Erickson, referred to Taxation.

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HJR 45, introduced by Thomas, referred to State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 298, requiring three-fourths of each House, **failed** as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 66

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, O'Hara, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Mr. Speaker.

Total 33

Voted Absentee: Augare, Aye.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

HB 284 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Rice, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Augare, Aye.

Excused: Ward.

Total 1

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Absent or not voting: None.
Total 0

HB 407 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Butcher, Everett, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall, Wells, Mr. Speaker.
Total 10

Voted Absentee: Augare, Aye.

Excused: Ward.
Total 1

Absent or not voting: Beck.
Total 1

HB 737 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Barrett, Beck, Bixby, Campbell, Everett, Hendrick, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Lambert, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Stahl, Wells, Witte, Mr. Speaker.
Total 24

Voted Absentee: Augare, Aye.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

HB 778 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Jore, Koopman.

Total 3

Voted Absentee: Augare, Aye.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

SB 10 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Boggio, Everett, Heinert, Hendrick, W. Jones, Jore, Kasten, Koopman, MacLaren, Mendenhall, Nooney, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.

Total 18

Voted Absentee: Augare, Aye.

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

SB 11 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek,

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Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 92

Noes: Boggio, Jore, Kasten, Koopman, Mendenhall, Sonju, Witte.
Total 7

Voted Absentee: Augare, Aye.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

SB 35 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Augare, Aye.

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 1:40 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hilbert in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading,

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recommend as follows:

HB 529 - Representative Lake moved **HB 529** do pass.

HB 529 - Representative Lake moved **HB 529**, second reading copy, be amended as follows:

1. Title, line 9.

Following: "2009;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Voted Absentee: Ward, Aye; Augare, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 529 - Representative Keane moved for cloture. Motion carried as follows:

Ayes: Ankney, Arntzen, Becker, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Driscoll, Dutton, Ebinger, French, Furey, Grinde, Groesbeck, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Witte, Mr. Speaker.

Total 66

Noes: Barrett, Beck, Bergren, Caferro, Cohenour, Cordier, Dickenson, Erickson, Everett, Franklin, Gallik, Glaser, Hands, Hawk, Hollenbaugh, W. Jones, Kasten, Lange, MacLaren, Mendenhall, Nooney, O'Hara, Parker, Ripley, Sinrud, Sonju, Wilmer, Wilson, Windy Boy, Wiseman.

Total 30

Excused: Augare, Ward.

Total 2

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Absent or not voting: Butcher, Hamilton.
Total 2

HB 529 - The motion to pass **HB 529**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 62

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 38

Voted Absentee: Ward, Aye; Augare, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 545 - Representative Phillips moved **HB 545** do pass.

HB 545 - Representative Phillips moved **HB 545**, second reading copy, be amended as follows:

1. Title, line 9.

Strike: " 1 "

Following: "AND"

Insert: "AND"

2. Title, line 10.

Strike: " 1 " through "DATES"

3. Page 1, line 20.

Following: "years."

Insert: "To qualify for the credit under this section, an energy audit must be conducted in a tax year that begins after December 31, 2006, and before January 1, 2009."

4. Page 1.

Following: line 30

Insert: "(4) If the credit allowed under this section is claimed by a small business corporation as defined in 15-30-1101, a partnership, or a limited liability company as defined in 35-8-102, the credit must be attributed to shareholders, partners, or members or managers of a limited liability company in the same proportion used to report the corporation's, partnership's, or limited liability company's income or loss for Montana income tax purposes."

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5. Page 2, line 5.

Strike: "1" through "2008"

6. Page 2, line 8.

Following: "[section 1]."

Insert: "To qualify for the credit under this section, the expenditure for equipment and goods must be made in a tax year that begins after December 31, 2006, and before January 1, 2010."

7. Page 2, line 14.

Strike: "1" through "2008"

8. Page 2.

Following: line 19

Insert: "(4) If the credit allowed under this section is claimed by a small business corporation as defined in 15-30-1101, a partnership, or a limited liability company as defined in 35-8-102, the credit must be attributed to shareholders, partners, or members or managers of a limited liability company in the same proportion used to report the corporation's, partnership's, or limited liability company's income or loss for Montana income tax purposes."

9. Page 2, line 23.

Strike: the first "[

Following: "1"

Strike: "]"

10. Page 3, line 5 through line 7.

Strike: section 7 in its entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Barrett, Beck, Butcher, Everett, Glaser, Hawk, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Mendenhall, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Vincent, Ward, Witte, Mr. Speaker.

Total 24

Voted Absentee: Augare, Aye; Ward, No.

Excused: None.

Total 0

Absent or not voting: Nooney.

Total 1

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HB 545 - The motion to pass **HB 545**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 64

Noes: Barrett, Beck, Blasdel, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 36

Voted Absentee: Augare, Aye; Ward, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 8 - Representative Stoker moved **SB 8** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Everett, Jore, Stahl, Vincent.
Total 4

Voted Absentee: Augare, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Pomnichowski.
Total 1

SB 20 - Representative K. Peterson moved **SB 20** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson,

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Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Everett, Jayne.

Total 2

Voted Absentee: Augare, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 39 - Representative Kerns moved **SB 39** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Campbell, Jore, Kasten, Mr. Speaker.

Total 4

Voted Absentee: Augare, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange, Sinrud.

Total 2

SB 40 - Representative French moved **SB 40** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley,

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Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Beck, Blasdel, Himmelberger, Jore, Kasten, McGillvray, Milburn, Sinrud, Sonju, Witte, Mr. Speaker.

Total 11

Voted Absentee: Augare, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

SB 101 - Representative Hendrick moved **SB 101** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Butcher, Everett, Hawk, Mendenhall, Ripley, Wells, Mr. Speaker.

Total 7

Voted Absentee: Augare, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hilbert moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

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Noes: Becker, Bixby, Branae, Callahan, Dickenson, Franklin, Gallik, Groesbeck, Hamilton, Hands, Jore, Wells, Wilson.

Total 13

Excused: Augare, Ward.

Total 2

Absent or not voting: Koopman, Nooney.

Total 2

MOTIONS

Majority Leader Lange moved that **HB 529** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 545** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 8** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, March 10, 2007. Motion carried.

House adjourned at 3:08 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 10, 2007

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Ward, excused. Quorum present.

Speaker Sales introduced Jonathan FitzGerald from Jordan an honorary page for the day.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/9/2007
Correctly printed: **SB 44, SB 59, SB 69, SB 76, SB 809, SB 811.**
Signed by the President at 3:50 p.m., March 10, 2007: **HB 122, HB 126, HB 431.**
Delivered to the Secretary of State at 4:40 p.m., March 9, 2007: **HJR 6.**

TRANSPORTATION (Sonju, Chairman): 3/9/2007
SB 29, be concurred in. Report adopted.
SB 30, be concurred in. Report adopted.
SB 237, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/9/2007
HB 44, introduced by McChesney
HB 72, introduced by Van Dyk
HB 115, introduced by Cohenour
HB 127, introduced by Keane
HB 219, introduced by Ebinger
HB 292, introduced by Stahl
HB 419, introduced by Koopman

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:
SB 206, introduced by Cobb, Weinberg, referred to Business and Labor.
SB 208, introduced by M. Tropila, referred to Transportation.
SB 211, introduced by Larson, referred to Judiciary.
SB 213, introduced by Cobb, referred to Natural Resources.
SB 214, introduced by Lewis, referred to Business and Labor.
SB 215, introduced by Harrington, Gallus, Keane, referred to Taxation.
SB 218, introduced by Lind, Cobb, Erickson, referred to Natural Resources.
SB 222, introduced by Esp, referred to Transportation.
SB 224, introduced by Shockley, referred to Judiciary.
SB 225, introduced by Moss, referred to Education.
SB 227, introduced by Laslovich, referred to Judiciary.
SB 228, introduced by Laslovich, referred to Judiciary.
SB 233, introduced by Elliott, referred to Taxation.

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SB 236, introduced by Gallus, Bergren, Jopek, Lange, referred to Human Services.

SB 239, introduced by Balyeat, Lewis, Steinbeisser, Murphy, Brown, Larson, Vincent, Hamilton, Jent, Laslovich, Lind, Sonju, Ankney, referred to State Administration.

SB 243, introduced by Balyeat, Lewis, Steinbeisser, Brown, Hamilton, Vincent, Larson, Sinrud, Laslovich, referred to Fish, Wildlife and Parks.

HB 817, introduced by Ankney, Pomnichowski, French, Hands, Jacobson, Furey, Campbell, Hamilton, Noonan, Ebinger, Grinde, McChesney, Dickenson, Musgrove, Cohenour, Bixby, Franklin, Sesso, Hollenbaugh, Wilson, Driscoll, Erickson, Reinhart, Phillips, Van Dyk, Henry, Wiseman, Caferro, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Noonan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 32 - Representative Reinhart moved **SB 32** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Beck, Jore, Kasten, Koopman, Sinrud, Wells.

Total 6

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

SB 43 - Representative Stahl moved **SB 43** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

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Total 98

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Lange, Mr. Speaker.

Total 2

SB 53 - Representative Milburn moved **SB 53** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jayne, Kasten, Sonju.

Total 3

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 54 - Representative Milburn moved **SB 54** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 93

Noes: Jayne, Kasten, Koopman, Sinrud, Wells, Witte, Mr. Speaker.

Total 7

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Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 70 - Representative Hendrick moved **SB 70** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Becker, Jore, Kasten.

Total 3

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 72 - Representative Jacobson moved **SB 72** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 93

Noes: Boggio, Everett, Jayne, Kasten, Lambert, Sinrud, Witte.

Total 7

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 90 - Representative Malcolm moved **SB 90** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Blasdel, Boggio, Butcher, Heinert, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 16

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 97 - Representative Keane moved **SB 97** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jore.
Total 1

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Noonan moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Mendenhall, Sinrud.

Total 2

Excused: Ward.

Total 1

Absent or not voting: Driscoll, Noonan, Sesso.

Total 3

Representative Cordier requested the House rise for a moment of silence regarding the death of Christopher Dana, veteran of the Iraq war.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 20 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: None.

Total 0

Excused: Ward.

Total 1

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Absent or not voting: Himmelberger, McChesney.
Total 2

SB 39 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Jore, Kasten, Mr. Speaker.
Total 3

Excused: Ward.
Total 1

Absent or not voting: None.
Total 0

SB 40 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Blasdel, Everett, Himmelberger, Jore, Kasten, McGillvray, Mendenhall, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 14

Excused: Ward.
Total 1

Absent or not voting: Morgan.
Total 1

SB 101 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock,

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Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Everett, Hawk, Mendenhall, Ripley, Sonju, Wells, Witte, Mr. Speaker.

Total 8

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved to reconsider actions taken on **HB 298** and that the bill be placed on third reading. There being no objections, so ordered.

Majority Leader Lange moved **HB 205** be taken from the Committee on Appropriations and be re-referred to the Committee on Fish, Wildlife and Parks. There being no objections, so ordered.

Representative Caferro moved **HB 387** be taken from the table in the Committee on Appropriations and be placed on second reading. Motion **failed** (due to three-fifths vote requirement) as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 47

Excused: Ward.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, March 12, 2007. Motion carried.

House adjourned at 8:45 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 12, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative MacLaren. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Wilson and Representative Sonju, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the forty-eighth, forty-ninth, fiftieth, and fifty-first legislative days, find the same to be correct.

L. Jones, Chair

Speaker Sales introduced the House Pages for the week:

Pages:	Danielle Vukonich, Columbia Falls
	Cammie Lambert, Broadus
	Alyssa Morren, Conrad
	Curt Kapptie, Colstrip
	Timothy Soucy, Billings
	Julie Brown, Conrad
	Ethan Elsbernd, Ennis

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):	3/9/2007
Correctly enrolled: HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.	
Delivered to the Governor for approval at 9:20 a.m., March 10, 2007: HB 122, HB 126, HB 431.	
Correctly printed: SB 29, SB 30, SB 237.	3/10/2007
Correctly engrossed: HB 333.	3/12/2007
Correctly enrolled: HB 333.	
Examined by the sponsor and found to be correct: HB 333.	
Signed by the Speaker at 11:30 a.m., March 12, 2007: HB 333.	
Signed by the Chief Clerk of the House at 8:45 a.m., March 12, 2007: HB 333.	
Signed by the President at 11:45 a.m., March 12, 2007: HB 333.	
Delivered to the Governor for approval at 1:10 p.m., March 12, 2007: HB 333.	

NATURAL RESOURCES (McNutt, Chairman):	3/12/2007
SB 19 , be concurred in. Report adopted.	
SB 84 , be concurred in. Report adopted.	

JUDICIARY (Rice, Chairman):	3/12/2007
SB 62 , be concurred in. Report adopted.	
SB 73 , be concurred in. Report adopted.	
SB 83 , be concurred in. Report adopted.	
SB 85 , be concurred in. Report adopted.	
SB 104 , be concurred in. Report adopted.	

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MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/10/2007

HB 18, introduced by W. Jones

HB 46, introduced by Gallik

HB 48, introduced by Jacobson

HB 76, introduced by McNutt

HB 106, introduced by Cordier

HB 158, introduced by L. Jones

HB 162, introduced by Hiner

HB 274, introduced by Mendenhall

HB 402, introduced by Noonan

Governor's amendments to House bill concurred in and returned to the House: 3/12/2007

HB 333, introduced by McChesney

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Taylor in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 746 - Representative Erickson moved **HB 746** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Beck, Everett, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Morgan, Peterson, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 15

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 21 - Representative Kerns moved **SB 21** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Ingraham, Jore, Mendenhall, Ripley.

Total 4

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 44 - Representative Milburn moved **SB 44** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Erickson, Hands, Jayne, Jore, Kasten.

Total 6

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 59 - Representative French moved **SB 59** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Jore, Koopman, Peterson, Mr. Speaker.
Total 4

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 69 - Representative Sonju moved **SB 69** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 93

Noes: Hawk, Jore, Kasten, McGillvray, Sinrud, Wells, Mr. Speaker.
Total 7

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 76 - Representative Cohenour moved **SB 76** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 79

Noes: Blasdel, Boggio, Dutton, Everett, Heinert, Hendrick, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Peterson, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 88 - Representative Ross moved **SB 88** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Dutton, Everett, Heinert, Jayne, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Wells, Witte, Mr. Speaker.

Total 13

Voted Absentee: Sonju, Wilson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Taylor moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

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Noes: Jayne, McGillvray, Mendenhall, Wells.
Total 4

Excused: Sonju, Wilson.
Total 2
Absent or not voting: Hilbert, Sands, Sinrud.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 32 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Windy Boy, Wiseman.
Total 84

Noes: Glaser, Jore, Kasten, Koopman, Lange, Morgan, Sinrud, Ward, Wells, Witte, Mr. Speaker.
Total 11

Excused: Sonju, Wilson.
Total 2

Absent or not voting: Hilbert, Klock, Stahl.
Total 3

SB 43 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Sonju, Wilson.
Total 2

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Absent or not voting: Hilbert.
Total 1

SB 53 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.
Total 91

Noes: Jayne, Kasten, Sinrud, Wells, Witte, Mr. Speaker.
Total 6

Excused: Sonju, Wilson.
Total 2

Absent or not voting: Hilbert.
Total 1

SB 54 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.
Total 89

Noes: Jayne, Jore, Kasten, Koopman, Sinrud, Wells, Witte, Mr. Speaker.
Total 8

Excused: Sonju, Wilson.
Total 2

Absent or not voting: Hilbert.
Total 1

SB 70 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel,

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Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Jore, Kasten.

Total 2

Excused: Sonju, Wilson.

Total 2

Absent or not voting: Hilbert, Vincent.

Total 2

SB 72 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman.

Total 89

Noes: Berggren, Boggio, Jayne, Kasten, Lambert, Morgan, Sinrud, Witte, Mr. Speaker.

Total 9

Excused: Sonju, Wilson.

Total 2

Absent or not voting: None.

Total 0

SB 90 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Berggren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman.

Total 80

Noes: Blasdel, Boggio, Butcher, Clark, Everett, Heinert, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Wells, Witte, Mr. Speaker.

Total 18

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Excused: Sonju, Wilson.
Total 2

Absent or not voting: None.
Total 0

SB 97 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Sonju, Wilson.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Lange moved that **HB 746** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 69** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 211** be taken from the Committee on Judiciary and re-referred to the Committee on Business and Labor. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, March 13, 2007. Motion carried.

House adjourned at 1:38 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 13, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Dickenson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/12/2007

Examined by the sponsor and found to be correct: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**
Signed by the Speaker at 10:30 a.m., March 12, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**
Signed by the President at 11:10 a.m., March 12, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**

Delivered to the Governor for approval at 11:20 a.m., March 13, 2007: **HB 44, HB 72, HB 115, HB 127, HB 219, HB 292, HB 419.**

Correctly engrossed: **HB 797, HB 461.**

Correctly enrolled: **HB 18, HB 38, HB 46, HB 48, HB 76, HB 82, HB 106, HB 137, HB 156, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402.**

APPROPRIATIONS (Sinrud, Chairman):

3/12/2007

HB 461, introduced bill, be amended as follows:

1. Page 5, line 26.

Following: "deposited"

Insert: "to the credit of the department of justice"

2. Page 8, line 11.

Strike: "justice and the department of"

3. Page 8, line 13 through line 14.

Strike: the second "the" on line 13 through "and" on line 14

4. Page 8, line 18.

Strike: "justice and the department of"

5. Page 8, line 22.

Strike: "justice and the department of"

6. Page 9.

Following: line 5

Insert: "NEW SECTION. Section 11. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

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BUSINESS AND LABOR (Mendenhall, Chairman): 3/13/2007
SB 81, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman): 3/12/2007
SB 136, be concurred in. Report adopted.
HB 797, introduced bill, be amended as follows:

1. Page 2, line 19.

Strike: "2009"

Insert: "2008"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/13/2007
HB 38, introduced by McChesney
HB 82, introduced by Parker
HB 137, introduced by Villa
HB 156, introduced by Franklin
HB 226, introduced by Cohenour
HB 255, introduced by Clark
HB 290, introduced by Bergren
HB 111, introduced by Furey

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 244, introduced by Weinberg, Beck, referred to Local Government.
SB 245, introduced by McGee, referred to Local Government.
SB 246, introduced by Gallus, Sesso, Bergren, Groesbeck, Everett, Olson, Keane, Parker, referred to Judiciary.
SB 248, introduced by Story, Wanzenried, Ross, Laslovich, Noonan, referred to Natural Resources.
SB 251, introduced by Larson, Cocchiarella, Branae, Ryan, McAlpin, Olson, Kottel, Becker, Jopek, Kitzenberg, Dutton, Cohenour, Driscoll, Gillan, Grinde, Moss, K. Peterson, Keane, French, Smith, referred to Transportation.
SB 254, introduced by Wanzenried, Gallus, Parker, Jent, Gillan, Hamilton, Schmidt, Keane, Smith, Hands, Grinde, Cordier, Ryan, Cooney, Kaufmann, Bergren, Furey, Jopek, Driscoll, Cohenour, Squires, Thomas, Williams, Moss, Larson, Reinhart, J. Tropila, Augare, Ankney, referred to Judiciary.
SB 258, introduced by Shockley, referred to Business and Labor.
SB 261, introduced by Lewis, referred to Local Government.
SB 266, introduced by Shockley, referred to Education.
SB 269, introduced by Larson, referred to State Administration.
SB 270, introduced by Larson, referred to State Administration.
SB 271, introduced by Brown, Essmann, Becker, Ross, Butcher, Cocchiarella, Himmelberger, Arntzen, Gillan, Laslovich, Story, Jackson, Black, Pease, Branae, Moss, Brueggeman, referred to Transportation.
SB 272, introduced by O'Neil, Jackson, Tash, Groesbeck, Everett, Curtiss, Gebhardt, Beck, Lewis, Ripley, Wanzenried, Steinbeisser, W. Jones, Barkus, Balyeat, Perry, Larson, Ryan, referred to State Administration.
SB 278, introduced by Gillan, Raser, referred to Judiciary.
SB 282, introduced by Lind, referred to Judiciary.
SB 285, introduced by Cooney, referred to State Administration.
SB 295, introduced by Tash, Barrett, Smith, Pease, referred to State Administration.
SB 296, introduced by Weinberg, referred to Business and Labor.

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SB 299, introduced by Moss, Hawks, Tash, Rice, Branae, referred to State Administration.

SB 302, introduced by Barkus, Jackson, O'Neil, Curtiss, Jopek, Brueggeman, Taylor, Weinberg, Reinhart, Blasdel, Laible, Thomas, referred to Transportation.

SB 305, introduced by Laslovich, referred to Transportation.

SB 308, introduced by J. Peterson, Bales, referred to State Administration.

SB 314, introduced by Steinbeisser, Smith, Stahl, referred to Fish, Wildlife and Parks.

SB 315, introduced by Cobb, referred to Education.

SB 316, introduced by Elliott, referred to Taxation.

SB 317, introduced by Lewis, Elliott, Curtiss, Lind, Mendenhall, Erickson, Murphy, Tash, McAlpin, J. Peterson, Pomnichowski, Brueggeman, Williams, Story, referred to Natural Resources.

SB 318, introduced by J. Peterson, Jackson, Gebhardt, Williams, Jore, Lake, Rice, Barkus, Ankney, referred to Judiciary.

SB 319, introduced by Cocchiarella, Stoker, Nooney, Lake, Brown, Balyeat, Gillan, Everett, McGillvray, referred to Business and Labor.

SB 322, introduced by Brueggeman, Jore, Taylor, referred to Judiciary.

SB 324, introduced by Jackson, Gallus, Weinberg, McNutt, Sesso, Perry, Curtiss, Brown, Laslovich, referred to Natural Resources.

SB 326, introduced by Schmidt, referred to Judiciary.

SB 328, introduced by Steinbeisser, Williams, Lind, Black, J. Peterson, Brueggeman, Murphy, Sesso, referred to Agriculture.

SB 332, introduced by Juneau, Small-Eastman, Pease, Smith, Bixby, Jayne, Augare, referred to Taxation.

SB 335, introduced by Tash, Ryan, referred to Education.

SB 341, introduced by Lewis, referred to Business and Labor.

SB 342, introduced by Squires, referred to Judiciary.

SB 346, introduced by Shockley, referred to Judiciary.

SB 347, introduced by Shockley, referred to Judiciary.

SB 348, introduced by Gallus, referred to Judiciary.

SB 350, introduced by Perry, referred to Judiciary.

SB 363, introduced by Kaufmann, Lewis, Parker, MacLaren, referred to Judiciary.

SB 364, introduced by Story, Gebhardt, Stahl, referred to State Administration.

SB 365, introduced by Story, Olson, Klock, Gebhardt, Tash, Boggio, referred to Natural Resources.

SB 367, introduced by Lind, Lambert, referred to State Administration.

SB 368, introduced by Lind, O'Hara, Wanzenried, McGillvray, referred to Human Services.

SB 369, introduced by Smith, Jackson, Curtiss, referred to Federal Relations, Energy and Telecommunications.

SB 370, introduced by Tash, referred to Natural Resources.

SB 372, introduced by Balyeat, Gebhardt, Hendrick, Himmelberger, Jore, Jackson, Boggio, Brown, Steinbeisser, Shockley, Lewis, Murphy, Olson, Curtiss, Ross, Klock, Story, Everett, McGee, Barkus, Thomas, Bales, J. Tropila, Black, Laslovich, Mendenhall, Perry, Sales, Malcolm, Stahl, Koopman, Stoker, Wells, Rice, McGillvray, Ankney, referred to Fish, Wildlife and Parks.

SB 374, introduced by Cooney, referred to State Administration.

SB 378, introduced by Gillan, referred to Taxation.

SB 379, introduced by Laslovich, referred to Judiciary.

SB 384, introduced by Wanzenried, referred to Transportation.

SB 386, introduced by Shockley, referred to Transportation.

SB 387, introduced by Squires, Henry, referred to Human Services.

SB 393, introduced by Gillan, referred to Judiciary.

SB 397, introduced by Gillan, referred to Human Services.

SJR 2, introduced by Smith, Cohenour, French, referred to Judiciary.

SJR 3, introduced by Weinberg, Ebinger, Sonju, Lind, Jopek, Jent, Malcolm, Wanzenried, referred to Fish, Wildlife and Parks.

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SJR 4, introduced by Curtiss, Bales, Vincent, Heinert, Gebhardt, referred to Education.

SJR 5, introduced by Brueggeman, Pomnichowski, Hilbert, Lewis, Kitzenberg, Gebhardt, Bergren, Reinhart, French, Cooney, Lind, Ward, referred to Human Services.

SJR 6, introduced by Schmidt, referred to Judiciary.

SJR 7, introduced by Lind, Schmidt, referred to Judiciary.

SJR 10, introduced by Brown, Jackson, Steinbeisser, Black, Heinert, Lewis, Gebhardt, Cocchiarella, Squires, Brueggeman, Smith, Hilbert, referred to Business and Labor.

SJR 11, introduced by Black, L. Jones, Essmann, Wanzenried, referred to Appropriations.

SJR 12, introduced by Brueggeman, Dickenson, Williams, Campbell, French, Reinhart, Erickson, Henry, Wilmer, Cohenour, Wanzenried, Schmidt, Phillips, Jacobson, Smith, Hamilton, Gillan, McAlpin, Cordier, Noonan, Larson, Furey, referred to Education.

SJR 13, introduced by Smith, Steinbeisser, Bales, L. Jones, Stahl, Reinhart, referred to Agriculture.

SJR 16, introduced by Lind, referred to Education.

SJR 17, introduced by Elliott, referred to Business and Labor.

SJR 18, introduced by Pease, referred to Fish, Wildlife and Parks.

SJR 19, introduced by Gillan, referred to Human Services.

SJR 20, introduced by Cooney, Parker, referred to Natural Resources.

SJR 21, introduced by J. Peterson, referred to State Administration.

SJR 22, introduced by Cocchiarella, referred to Transportation.

SJR 23, introduced by Harrington, J. Tropila, Lange, Bales, Brown, Story, Elliott, Schmidt, McGee, Becker, referred to Human Services.

SJR 24, introduced by Laslovich, referred to Judiciary.

SJR 25, introduced by J. Peterson, Ryan, Black, Hawk, Kitzenberg, McGee, Story, referred to State Administration.

SJR 26, introduced by Laible, referred to Local Government.

HB 818, introduced by Taylor, Sinrud, referred to Appropriations.

HB 819, introduced by Taylor, Sinrud, referred to Appropriations.

HB 820, introduced by Taylor, Sinrud, referred to Appropriations.

HB 821, introduced by Bergren, Gallus, referred to Appropriations.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House reconvened at 1:25

Speaker Sales introduced the Flathead Valley Home School Senior Choir who sang for the House Chamber.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Raser in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 811 - Representative Wells moved **HB 811** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara,

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Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Barrett, Everett, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Ripley, Sinrud, Vincent, Mr. Speaker.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 19 - Representative McNutt moved **SB 19** be concurred in.

SB 19 - Representative Bixby moved **SB 19**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 53

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 19 -The motion that **SB 19** be concurred in, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

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Noes: Augare, Bixby, McGillvray, Stahl.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 29 - Representative Lambert moved **SB 29** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 76

Noes: Barrett, Boggio, Dutton, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Peterson, Ripley, Sinrud, Ward, Wells, Witte, Mr. Speaker.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 30 - Representative MacLaren moved **SB 30** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Kasten, Peterson, Sinrud, Mr. Speaker.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 84 - Representative Erickson moved **SB 84** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Jore, Koopman, Mendenhall, Sinrud, Sonju, Taylor, Witte.

Total 13

Excused: None.

Total 0

Absent or not voting: Van Dyk.

Total 1

SB 237 - Representative Hilbert moved **SB 237** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Malcolm, Sinrud.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 62 - Representative Driscoll moved **SB 62** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 58

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Total 42

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 - Representative K. Peterson moved **SB 73** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Noonan.

Total 1

Excused: None.

Total 0

Absent or not voting: Beck, Jore.

Total 2

SB 83 - Representative Gallik moved **SB 83** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 90

Noes: Beck, Boggio, Everett, Jore, Kasten, Mendenhall, Nooney, Sinrud, Wells, Witte.

Total 10

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 85 - Representative O'Hara moved **SB 85** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jayne, Jore.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 104 - Representative Gallik moved **SB 104** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jayne.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved to reconsider action taken on **SB 237** and that it be placed back on second reading for purpose of an amendment. There being no objection, so ordered.

SB 237 - Representative Hilbert moved **SB 237**, second reading copy, be concurred in and further that it be amended

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as follows:

1. Page 1, line 27.

Strike: "use the tires"

Insert: "be used"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne, Wilson.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 237 - The motion to concur in **SB 237**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Raser moved the Committee of the Whole report be adopted. Report adopted

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as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Dickenson, Jayne, Mendenhall.

Total 4

Excused: None.

Total 0

Absent or not voting: Raser, Thomas.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 21 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Mendenhall, Ripley.

Total 3

Excused: None.

Total 0

Absent or not voting: Ward.

Total 1

SB 44 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey,

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Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Erickson, Franklin, Hands, Jayne, Jopek, Jore, Kasten.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 59 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 88

Noes: Glaser, Jore, Kasten, Koopman, Lange, Mendenhall, Peterson, Wells, Witte, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: Small-Eastman, Windy Boy.

Total 2

SB 76 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

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Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 88 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Ankney, Dutton, Everett, Glaser, Hawk, Heinert, Jayne, Jore, Kasten, Koopman, Lange, Mendenhall, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved that **SB 62** be re-referred to the Committee on Appropriations.

Representative Driscoll objected to the motion. The objection **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved that **SB 104** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Kasten moved to suspend the rules and bring **HB 11** back to second reading. The motion, which required a two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 47

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Wednesday, March 14, 2007. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 14, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Augare. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/13/2007
Correctly printed: **SB 81, SB 136.**

Examined by the sponsor and found to be correct: **HB 18, HB 38, HB 46, HB 76, HB 82, HB 106, HB 137, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402, HB 48.**

Correctly printed: **HB 99, HB 329, SB 82, SB 123, SB 187, SB 188.** 3/14/2007

Correctly engrossed: **HB 195, HB 196, HB 240, HB 536, HB 621.**

Correctly enrolled: **HB 20, HB 43, HB 84, HB 94, HB 143, HB 167, HB 264, HB 334.**

Examined by the sponsor and found to be correct: **HB 156, HB 20, HB 43, HB 334, HB 84, HB 94, HB 143, HB 167, HB 264.**

Signed by the Speaker at 11:54 a.m., March 14, 2007: **HB 18, HB 38, HB 46, HB 76, HB 82, HB 106, HB 137, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402.**

Signed by the Chief Clerk of the House at 12:15 p.m., March 14, 2007: **HB 48, HB 156.**

Signed by the Speaker at 1:00 p.m., March 14, 2007: **HB 48, HB 456.**

Signed by the Chief Clerk of the House at 3:45 p.m., March 14, 2007: **HB 18, HB 38, HB 46, HB 76, HB 82, HB 106, HB 137, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402.**

AGRICULTURE (Butcher, Chairman): 3/13/2007
SB 187, be concurred in. Report adopted.
SB 188, be concurred in. Report adopted.

APPROPRIATIONS (Sinrud, Chairman): 3/14/2007
HB 99, do pass. Report adopted.
HB 195, introduced bill, be amended as follows:

1. Page 3.

Following: line 18

Insert: "(3) The appropriations in subsection (1) are one-time in nature and are not to be included in the base budget for the 2011 biennium budget."

And, as amended, do pass. Report adopted.

HB 196, introduced bill, be amended as follows:

1. Page 2, line 10.

Strike: "2.71% "

Insert: "0.16% "

2. Page 3, line 22.

Strike: "2.71% "

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Insert: "0.16% "

And, as amended, do pass. Report adopted.

HB 240, introduced bill, be amended as follows:

1. Page 2, line 25 through line 26.

Strike: "the lesser" on line 25 through "2-18-501" on line 26

Insert: "\$30 for each day of lodging provided"

And, as amended, do pass. Report adopted.

HB 329, do pass. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

3/14/2007

HB 621, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "REQUIRING EACH"

Insert: "ALLOWING A"

2. Title, page 1, line 5.

Strike: "AND TO OFFER"

Insert: "IN ADDITION TO THE REQUIRED"

3. Title, page 1, line 9.

Following: "PRACTICE;"

Insert: "PROVIDING AN APPROPRIATION;"

4. Title, page 1, line 10 and line 12.

Following: "33-22-133, "

Insert: "33-22-134, 33-22-135, "

5. Page 1, line 26.

Strike: "required"

6. Page 1, line 27.

Strike: "two types of health benefits plans, including"

7. Page 1, line 28 and line 29.

Following: "benefits and"

Strike: "one"

Insert: "may offer one or more"

Strike: "plan as" on line 18 through "subsection (2)" on line 29

Insert: "plans"

8. Page 1, line 30 through page 2, line 3.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

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9. Page 2, line 10 through line 15.

Strike: subsection (4) in its entirety

10. Page 4, line 18 through line 19.

Strike: subsection (5) in its entirety

11. Page 5, line 12.

Following: line 12

Insert: "Section 7. Section 33-22-134, MCA, is amended to read:

"33-22-134. Postmastectomy care. ~~Each~~ (1) Except as provided in [section 2], ~~each~~ group and individual disability policy, certificate of insurance, or membership contract that is delivered, issued for delivery, renewed, extended, or modified in this state must provide coverage for hospital inpatient care for a period of time as is determined by the attending physician and, in the case of a health maintenance organization, also the primary care physician, in consultation with the patient, to be medically necessary following a mastectomy, a lumpectomy, or a lymph node dissection for the treatment of breast cancer. This section also applies to the state employee group insurance program, the university system employee group insurance program, any employee group insurance program of a city, town, county, school district, or other political subdivision of the state, and any self-funded multiple employer welfare arrangement that is not regulated by the Employee Retirement Income Security Act of 1974.

(2) A limited-benefit plan provided under [section 2] may exclude only the coverage mandated by state law but is subject to the Women's Health and Cancer Rights Act of 1998, 42 U.S.C. 300gg-6 through 300gg-52."

Insert: "Section 8. Section 33-22-135, MCA, is amended to read:

"33-22-135. Coverage for reconstructive breast surgery after mastectomy. (1) ~~Each~~ Except as provided in [section 2], ~~each~~ group and individual disability policy, certificate of insurance, or membership contract that is delivered, issued for delivery, renewed, extended, or modified in this state must provide coverage for reconstructive breast surgery resulting from a mastectomy that resulted from breast cancer.

(2) ~~Each~~ Except as provided in [section 2], ~~each~~ group and individual disability policy, certificate of insurance, or membership contract that is delivered, issued for delivery, renewed, extended, or modified in this state must provide coverage for all stages of one reconstructive breast surgery on the nondiseased breast to establish symmetry with the diseased breast after definitive reconstructive breast surgery on the diseased breast has been performed.

(3) For the purposes of this section:

(a) "mastectomy" means the surgical removal of all or part of a breast as a result of breast cancer;

(b) "reconstructive breast surgery" means surgery performed as a result of a mastectomy to reestablish symmetry between the breasts. The term includes augmentation mammoplasty, reduction mammoplasty, and mastopexy.

(4) ~~Benefits~~ Except as provided in [section 2], ~~benefits~~ for reconstructive breast surgery include but are not limited to the costs of prostheses and, under any contract providing outpatient x-ray or radiation therapy, benefits for outpatient chemotherapy following surgical procedures in connection with the treatment of breast cancer that must be included as a part of the outpatient x-ray or radiation therapy benefit.

(5) A limited-benefit plan provided under [section 2] may exclude only the coverage mandated by state law but is subject to the Women's Health and Cancer Rights Act of 1998, 42 U.S.C. 300gg-6 through 300gg-52."

Renumber: subsequent sections

12. Page 15, line 17.

Insert: "NEW SECTION. Section 21. Appropriation. There is appropriated from the state general fund to the state auditor's office \$5,000 for the biennium beginning July 1, 2007. The appropriation must be used to conduct a review of the number and types of limited-benefit plans offered under [section 2] and the number of people covered under limited-benefit plans during the biennium. The state auditor's office shall provide the information to the 61st legislature, as provided in 5-11-210."

Renumber: subsequent sections

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13. Page 15, line 22.

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

14. Page 15, line 25.

Insert: "(2) [Section 21 and this section] are effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 536, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Strike: "ADOPTING" on line 4 through "DEFINITIONS;" on line 5

2. Title, page 1, line 9.

Strike: "AND"

Following: "PENALTIES"

Insert: "; AND AMENDING SECTIONS 37-7-601, 37-7-602, 37-7-603, 37-7-604, AND 37-7-610, MCA"

3. Page 1, line 13 through page 12, line 11.

Strike: everything after the enacting clause

Insert: "Section 1. Section 37-7-601, MCA, is amended to read:

"37-7-601. Scope and purpose. This part applies to a person or entity engaged in the wholesale distribution of prescription drugs in this state. The purpose of this part is to:

(1) implement the federal Prescription Drug Marketing Act of 1987 by providing minimum standards, terms, and conditions for licensing by the department of persons or entities engaged in wholesale distributions of prescription drugs; and

(2) ensure the integrity of the state's prescription drug supply by requiring background checks of wholesale drug distributors, inspections of wholesale drug facilities, and the creation of a system for tracking wholesale prescription drugs that have left the normal distribution channel."

Insert: "Section 2. Section 37-7-602, MCA, is amended to read:

"37-7-602. Definitions. As used in this part, the following definitions apply:

(1) "Authenticate" means to affirmatively verify before any wholesale distribution of a prescription drug occurs that each transaction listed on the pedigree has occurred.

(2) "Authorized distributor of record" means a wholesale drug distributor with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drug. An ongoing relationship is considered to exist between a wholesale drug distributor and a manufacturer when the wholesale drug distributor, including the wholesale drug distributor's affiliated group, as defined in section 1504 of the Internal Revenue Code of 1986, 26 U.S.C. 1504, complies with either of the following:

(a) the wholesale drug distributor has a written agreement currently in effect with the manufacturer evidencing the ongoing relationship; or

(b) the wholesale drug distributor is listed on the manufacturer's current list of authorized distributors of record, which list is updated by the manufacturer on no less than a monthly basis.

~~(1)~~(3) "Blood" means whole blood collected from a single donor and processed either for transfusion or for further manufacturing.

~~(2)~~(4) "Blood component" means that part of blood separated by physical or mechanical means.

(5) "Chain pharmacy warehouse" means a physical location for prescription drugs, devices, or both, that acts as a central warehouse and performs intracompany sales or transfers of the prescription drugs to a group of chain pharmacies that have the same common ownership and control.

(6) "Colicensed" means an instance in which two or more parties have the right to engage in the

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manufacturing or marketing of the prescription drug, consistent with the U.S. food and drug administration definition of manufacturer under the agency's regulations and guidances implementing the Prescription Drug Marketing Act of 1987.

(7) "Device" or "legend device" means a device as defined in 37-2-101 that is required under federal law to be dispensed by a health care provider or pursuant to a prescription.

(8) "Drop shipment" means the sale of a prescription drug by a manufacturer of the prescription drug, the manufacturer's colicensed partner, the manufacturer's third-party logistics provider, or the manufacturer's exclusive distributor to a wholesale drug distributor under which the wholesale drug distributor takes title to but not possession of the prescription drug and the wholesale drug distributor invoices the pharmacy, chain pharmacy warehouse, or other person authorized by law to dispense and administer the drug to a patient and the pharmacy, chain pharmacy warehouse, or other authorized person receives delivery of the prescription drug directly from the manufacturer, the manufacturer's colicensed partner, the manufacturer's third-party logistics provider, or the manufacturer's exclusive distributor.

~~(3)~~(9) "Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

(10) "Facility" means a facility of a wholesale drug distributor where prescription drugs are stored, handled, repackaged, or offered for sale.

~~(4)~~(11) "Manufacturer" means a person or entity engaged in the manufacturing, preparing, propagating, compounding, processing, packaging, repackaging, or labeling of a prescription drug or device.

(12) "Manufacturer's exclusive distributor" means any person who contracts with a manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of a manufacturer and who takes title to the manufacturer's prescription drug, but who does not have general responsibility to direct the sale or disposition of the manufacturer's prescription drug. The manufacturer's exclusive distributor must be licensed as a wholesale drug distributor under this part and in order to be considered part of the normal distribution channel must also be an authorized distributor of record.

(13) "Normal distribution channel" means a chain of custody for a prescription drug that goes directly or by drop shipment from a manufacturer of the prescription drug, the manufacturer's colicensed partner, the manufacturer's third-party logistics provider, or the manufacturer's exclusive distributor to:

(a) a pharmacy for distribution to a patient or to any other designated persons authorized by law to dispense or administer the drug to a patient;

(b) a wholesale drug distributor for distribution to a pharmacy and then to a patient or to any other designated persons authorized by law to dispense or administer the drug to a patient;

(c) a wholesale drug distributor for distribution to a chain pharmacy warehouse, then to that chain pharmacy warehouse's intracompany pharmacies, then to a patient or to any other designated persons authorized by law to dispense or administer the drug to a patient; or

(d) a chain pharmacy warehouse for distribution to the chain pharmacy warehouse's intracompany pharmacies and then to a patient or to any other designated persons authorized by law to dispense or administer the drug to a patient.

(14) "Pedigree" means a document or electronic file containing information that records each distribution of a prescription drug.

~~(5)~~(15) "Prescription drug" has the same meaning as provided in 37-7-101.

(16) (a) "Repackage" means repackaging or otherwise changing the container, wrapper, or labeling to further the distribution of a prescription drug.

(b) The term does not include the dispensing of prescription drugs to the patient by a pharmacist.

(17) "Repackager" means a person who repackages.

(18) "Third-party logistics provider" means anyone who contracts with a manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of a manufacturer, but who does not take title to a prescription drug or have general responsibility to direct the prescription drug's sale or disposition. A third-party logistics provider must be licensed as a wholesale drug distributor under this part and, in order to be considered part of the normal distribution channel, must also be an authorized distributor of record.

~~(6)~~(19) (a) "Wholesale drug distribution" means distribution of prescription drugs, legend devices, or medical

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gases to persons other than a consumer or patient.

(b) The term does not include:

(i) intracompany sales or transfers of prescription drugs, including a transaction or transfer between a division, subsidiary, parent, or affiliated or related company under common ownership or control of a corporate entity or any transaction or transfer between colicensees of a colicensed product;

(ii) the purchase or other acquisition, by a hospital or other health care entity that is a member of a group purchasing organization, of a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of group purchasing organizations;

(iii) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug by a charitable organization described in section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. 501(c)(3), as amended, to a nonprofit affiliate of the organization to the extent otherwise permitted by law;

(iv) the sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control. For purposes of this subsection ~~(6)(b)(iv)~~ (19)(b)(iv), "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, contract, or otherwise.

(v) the sale, purchase, distribution, transfer, or trade of a drug or an offer to sell, purchase, distribute, transfer or trade a drug for emergency medical reasons. For the purposes of this subsection ~~(6)(b)(v)~~ (19)(b)(v), "emergency medical reasons" includes transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.

(vi) the sale, purchase, or trade of a prescription drug pursuant to a prescription, ~~or~~ an offer to sell, purchase, or trade a prescription drug pursuant to a prescription, or the dispensing of a prescription drug pursuant to a prescription;

(vii) the distribution of drug samples by manufacturers' representatives or distributors' representatives; ~~or~~

(viii) the sale, purchase, or trade of blood and blood components intended for transfusion;

(ix) drug returns, when conducted by a hospital, health care entity, or charitable institution in accordance with 21 CFR 203.23;

(x) the sale of minimal quantities of prescription drugs by retail pharmacies to licensed practitioners for office use;

(xi) the sale, transfer, merger, or consolidation of all or part of the business of a pharmacy or pharmacies from or with another pharmacy or pharmacies, whether accomplished as a purchase and sale of stock or business assets;

(xii) the direct sale, purchase, distribution, trade, or transfer of a prescription drug from an authorized distributor of record to one additional authorized distributor of record when the manufacturer has stated in writing to the receiving authorized distributor of record that the manufacturer is unable to supply the prescription drug and the supplying authorized distributor of record states in writing that the prescription drug being supplied had until that time been exclusively in the normal distribution channel;

(xiii) the delivery of or offer to deliver a prescription drug by a common carrier solely in the common carrier's usual course of business of transporting prescription drugs when the common carrier does not store, warehouse, or take legal ownership of the prescription drug;

(xiv) drop shipments of a prescription drug from a manufacturer or that manufacturer's exclusive distributor to a pharmacy or chain pharmacy warehouse; or

(xv) the sale or transfer from a retail pharmacy or chain pharmacy warehouse of expired, damaged, returned, or recalled prescription drugs to the original manufacturer or to a third-party returns processor.

~~(7)(20)~~ (a) "Wholesale drug distributor" means a person or entity engaged in wholesale distribution of prescription drugs, legend devices, or medical gases, including but not limited to manufacturers, ~~repackers~~ repackagers, own-label wholesale distributors, private-label wholesale distributors, jobbers, brokers, warehouses (including manufacturers' and wholesale drug distributors' warehouses, chain drug warehouses, and wholesale drug warehouses), independent wholesale drug traders, manufacturer's exclusive distributors and authorized distributors of record, drug wholesalers or distributors, third-party logistics providers, and retail and hospital pharmacies that conduct wholesale distributions.

(b) To be considered part of the normal distribution channel, the wholesale drug distributor must also be an

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authorized distributor of record."

Insert: "Section 3. Section 37-7-603, MCA, is amended to read:

"37-7-603. Prohibited purchase or receipt of drugs -- restrictions on wholesale drug distributors -- penalty penalties. (1) Except as otherwise provided, it is unlawful for a person to knowingly purchase or receive a prescription drug from a source other than a person or entity licensed under this part.

(2) Licensed wholesale drug distributors other than pharmacies or medical gas suppliers may not dispense or distribute prescription drugs directly to patients.

(3) It is unlawful for a person to perform or cause the performance of or aid and abet any of the following acts in this state:

(a) failure to obtain a license in accordance with this part or operating without a valid license when a license is required by this part;

(b) receiving prescription drug returns or exchanges from a pharmacy or chain pharmacy warehouse, unless the requirements in [section 6(1)] are met;

(c) selling, distributing, or transferring a prescription drug to a person who is not authorized to receive the prescription drug under the law of the jurisdiction in which the person receives the prescription drug in violation of [section 6(2)];

(d) failing to deliver prescription drugs to specified premises as required in [section 6(3)];

(e) accepting payment or credit for the sale of prescription drugs in violation of [section 6(5)];

(f) failing to maintain or provide pedigrees as required by this part;

(g) failing to obtain, transfer, or authenticate a pedigree as required by this part;

(h) providing the board or any of its representatives or any federal official with false or fraudulent records or making false or fraudulent statements regarding any matter within the provisions of this part;

(i) obtaining or attempting to obtain a prescription drug by fraud, deceit, or misrepresentation or engaging in misrepresentation or fraud in the distribution of a prescription drug;

(j) except for the wholesale distribution by manufacturers of a prescription drug that has been delivered into commerce pursuant to an application approved under federal law by the food and drug administration;

(i) the manufacturing, repackaging, selling, transferring, delivering, holding, or offering for sale of any prescription drug that is adulterated, misbranded, counterfeit, or suspected of being counterfeit or that has otherwise been rendered unfit for distribution; or

(ii) the adulteration, misbranding, or counterfeiting of any prescription drug;

(k) receiving any prescription drug that is adulterated, misbranded, stolen, obtained by fraud or deceit, or counterfeit or that is suspected of being counterfeit and delivering or proffering delivery of the prescription drug for pay or otherwise; or

(l) the alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of a prescription drug or the commission of any other act with respect to a prescription drug that results in the prescription drug being misbranded.

(4) The acts prohibited in subsection (3) do not include a prescription drug manufacturer or an agent of the manufacturer obtaining a prescription drug for the sole purpose of testing the prescription drug for authenticity.

~~(3)~~(5) (a) A person who violates the provisions of this section is guilty of a ~~misdemeanor~~ felony.

(b) A person who negligently engages in the wholesale distribution of prescription drugs in violation of this part is guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 15 years, by a fine not to exceed \$50,000, or both.

(c) A person who knowingly engages in wholesale distribution of prescription drugs in violation of this part is guilty of a felony and, upon conviction, shall be punished by imprisonment for not more than 25 years, by a fine not to exceed \$500,000, or both."

Insert: "Section 4. Section 37-7-604, MCA, is amended to read:

"37-7-604. Wholesale drug distributor licensing requirements -- fee -- federal compliance. (1) A person or distribution outlet may not act as a wholesale drug distributor without first obtaining a license from the board and paying the license fee. Manufacturers engaged in wholesale drug distribution are subject to licensing. However, information and qualification requirements for licensure, beyond those required by federal law or regulation, do not apply to manufacturers distributing their own U.S. food and drug administration-approved drugs, unless specific

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requirements are considered necessary and the board adopts appropriate rules.

(2) A license may not be issued or renewed for a wholesale drug distributor to operate in this state unless the applicant:

- (a) agrees to abide by federal and state law and to comply with the rules adopted by the board; and
- (b) pays the license fee set by the board.

(3) ~~The board in its discretion may require that a separate license be obtained for:~~

~~_____ (a) each facility directly or indirectly owned or operated by the same business entity within the state; or~~
~~_____ (b) a parent entity with divisions, subsidiaries, or affiliates within the state if operations are conducted at more than one location and joint ownership and control exists among all entities. If a wholesale drug distributor distributes prescription drugs from more than one facility in the state, the wholesale drug distributor shall obtain a license for each facility.~~

(4) In order to obtain and maintain a wholesale drug distributorship in this state, an applicant shall provide written documentation to the board attesting that the applicant has maintained and will continue to maintain:

- (a) adequate storage conditions and facilities;
- (b) minimum liability and other insurance that may be required by applicable federal or state law;
- (c) a functioning security system that includes:
 - (i) an after hours central alarm or comparable entry detection system;
 - (ii) restricted access to the premises;
 - (iii) comprehensive employee applicant screening; and
 - (iv) safeguards against employee theft;
- (d) a system of records setting forth all activities of wholesale drug distribution ~~as defined in 37-7-602~~ for at least a period of the 2 previous years. The system of records must be accessible, as defined by board regulations, for inspections authorized by the board.

(e) principals, including officers, directors, primary shareholders, and management executives, who shall at all times demonstrate and maintain their responsibility for conducting the business in conformity with sound financial practices as well as state and federal law;

(f) complete, updated information, to be provided to the board as a condition for obtaining and retaining a license, pertaining to each wholesale drug distributor to be licensed, including but not limited to:

- (i) all pertinent corporate license information, if applicable; and
- (ii) other information regarding ownership, principals, key personnel, and facilities;

(g) a written protocol of procedures and policies that ~~assures~~ ensures preparation by the wholesale drug distributor for the handling of security or operational problems, including but not limited to those caused by:

- (i) natural disaster or government emergency;
- (ii) inventory inaccuracies or product shipping and receiving;
- (iii) insufficient inspections for all incoming and outgoing product shipments;
- (iv) lack of control of outdated or other unauthorized products;
- (v) inappropriate disposition of returned goods; and
- (vi) failure to promptly comply with product recalls; and
- (h) operations in compliance with all federal requirements applicable to wholesale drug distribution.

(5) An agent or employee of a licensed wholesale drug distributor need not be licensed as a wholesale drug distributor.

(6) In addition to any other requirements as provided by law or regulation, the board shall require from each wholesale drug distributor applying for a license pursuant to this part the name and fingerprints of the applicant's designated representative for the facility and the following information relating to the designated representative:

- _____ (a) the person's places of residence for the past 7 years;
- _____ (b) the person's date and place of birth;
- _____ (c) the person's occupations, positions of employment, and offices held during the past 7 years;
- _____ (d) the principal business and address of any business, corporation, or other organization in which the person held office or in which each occupation or position of employment was carried on;
- _____ (e) whether, during the past 7 years, the person has been the subject of any proceeding for the revocation of any license and, if so, the nature of the proceeding and the disposition of the proceeding;

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(f) whether, during the past 7 years, the person has been enjoined, either temporarily or permanently, by a court of competent jurisdiction from violating any federal or state law regulating the possession, control, or distribution of prescription drugs, together with details concerning the event;

(g) a description of any involvement during the past 7 years by the person with any business, including any investments, other than the ownership of stock in a publicly traded company or mutual fund, that manufactured, administered, prescribed, distributed, or stored pharmaceutical products and any lawsuits in which any one of the businesses was named as a party;

(h) a description of any felony criminal offense of which the person, as an adult, was found guilty, regardless of whether the person pleaded guilty or nolo contendere. If the person indicates that a criminal conviction is under appeal and submits a copy of the notice of appeal of that criminal offense, the applicant shall, within 15 days after the disposition of the appeal, submit to the board a copy of the final written order of disposition.

(i) a photograph of the person taken in the previous 30 days.

(7) The board may not issue a license to an applicant unless the board:

(a) conducts a physical inspection of the facility at the address provided by the applicant if the facility is in this state; and

(b) determines that the designated representative meets the following qualifications:

(i) is at least 18 years of age;

(ii) has been employed full time for at least 3 years in a pharmacy or with a wholesale drug distributor in a capacity related to the dispensing and distribution of and recordkeeping relating to prescription drugs;

(iii) is employed by the applicant full time in a managerial level position;

(iv) is actively involved in and aware of the actual daily operation of the wholesale drug distributor;

(v) is physically present at the facility of the applicant during regular business hours, except when the absence of the designated representative is authorized, including but not limited to sick leave and vacation leave;

(vi) is serving in the capacity of a designated representative for only one applicant at a time except where more than one licensed wholesale drug distributor is colocated in the same facility and the wholesale drug distributors are members of an affiliated group, as defined in section 1504 of the Internal Revenue Code, 26 U.S.C. 1504; and

(vii) does not have any convictions under any federal, state, or local laws relating to wholesale or retail prescription drug distribution or distribution of controlled substances.

(8) The board shall require each wholesale drug distributor applying for a license to submit a bond of at least \$100,000 or other equivalent means of security acceptable to the board, such as an irrevocable letter of credit or a deposit in a trust account or financial institution, payable to the state. Chain pharmacy warehouses that are engaged only in intracompany transfers are exempt from the bond requirement. The purpose of the bond is to secure payment of any fines or penalties imposed by the board and any fees and costs incurred by the board regarding the license that are authorized under state law and that the licensee fails to pay 30 days after the fines, penalties, or costs become due. The board may make a claim against the bond or security until 1 year after a license ceases to be valid. The bond must cover all facilities operated by the applicant in this state.

(9) The board shall submit the fingerprints provided by an applicant pursuant to subsection (6) to the department of justice for a statewide criminal records check and for forwarding to the federal bureau of investigation for a national criminal records check of the applicant.

(10) Except as otherwise required by law, information provided pursuant to this section may not be disclosed to any person or entity other than the board unless the information is needed for licensure or monitoring purposes by another state entity.

~~(6)(11)~~ (11) For purposes of this section, all rules and regulations promulgated by the board must conform to the wholesale drug distributor licensing guidelines formally adopted by the United States food and drug administration. If a conflict or inconsistency or contradiction arises between a food and drug administration guideline and a rule or regulation of the board, the former controls, unless the Montana provisions are more stringent."

Insert: "Section 5. Section 37-7-610, MCA, is amended to read:

"37-7-610. Rulemaking authority. The board shall adopt rules and regulations necessary to carry out the purpose and enforce the provisions of this part. If an inconsistency or contradiction arises between the rules and regulations conflict with and the wholesale drug distribution guidelines promulgated by the United States food and drug administration, the latter control, unless the Montana provisions are more stringent.""

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Insert: "NEW SECTION. Section 6. Restrictions on transactions. (1) A wholesale drug distributor shall receive prescription drug returns or exchanges from a pharmacy or chain pharmacy warehouse pursuant to the terms and conditions of the agreement between the wholesale drug distributor and the pharmacy or chain pharmacy warehouse. The returns or exchanges that include the returns of expired, damaged, recalled, or other unsalable pharmaceutical products may be distributed by the receiving wholesale drug distributor only to either the original manufacturer or to a third-party returns processor. Returns or exchanges of salable or other prescription drugs, including any redistribution by a receiving wholesaler, are not subject to the pedigree requirements of [section 7] as long as the transactions are exempt from pedigree under the U.S. food and drug administration's currently applicable prescription drug marketing guidelines. Wholesale drug distributors and pharmacies must be held accountable for policing their returns process and ensuring that their operations are secure and do not permit the entry of adulterated or counterfeit prescription drugs.

(2) A manufacturer or wholesale drug distributor shall furnish prescription drugs only to a person licensed by the board. Before furnishing prescription drugs to a person not known to the manufacturer or wholesale drug distributor, the manufacturer or wholesale drug distributor shall contact the board to affirmatively verify that the person is legally authorized to receive the prescription drugs.

(3) Prescription drugs furnished by a manufacturer or wholesale drug distributor may be delivered only to the premises listed on the license. However, the manufacturer or wholesale drug distributor may furnish prescription drugs to an authorized person or agent of that person at the premises of the manufacturer or wholesale drug distributor if:

- (a) the identity and authorization of the recipient is properly established; and
- (b) this method of receipt is employed only to meet the immediate needs of a particular patient of the authorized person.

(4) Prescription drugs may be furnished to a hospital pharmacy receiving area if a pharmacist or authorized receiving employee signs, at the time of delivery, a receipt showing the type and quantity of the prescription drug received. Any discrepancy between the receipt and the type and quantity of the prescription drug actually received must be reported to the delivering manufacturer or wholesale drug distributor by the next business day after delivery.

(5) A manufacturer or wholesale drug distributor may not accept payment for or allow the use of a person's or entity's credit to establish an account for the purchase of prescription drugs from any person other than the owner or owners of record, the chief executive officer, or the chief financial officer listed on the license of a person or entity legally authorized to receive prescription drugs. Any account established for the purchase of prescription drugs must bear the name of the licensee."

Insert: "NEW SECTION. Section 7. Pedigree requirements. (1) Except for the original manufacturer of the finished form of the prescription drug, each person, including a repackager, who is engaged in wholesale distribution of prescription drugs that leave or have ever left the normal distribution channel shall provide a pedigree to the person that receives the prescription drugs.

(2) A retail pharmacy or chain pharmacy warehouse is required to comply with the requirements of this section only if the retail pharmacy or chain pharmacy warehouse engages in wholesale distribution of prescription drugs.

(3) The board shall conduct a study to be completed no later than July 1, 2009, that includes consultation with manufacturers, wholesale drug distributors, and pharmacies responsible for the sale and distribution of prescription drug products in this state. Based on the results of the study, the board shall establish a mandated feasible implementation date for electronic pedigrees.

(4) Except for the original manufacturer of the finished form of the prescription drug, each person, including a repackager, who is provided a pedigree for a prescription drug and who attempts to further distribute that prescription drug shall affirmatively verify before any distribution of a prescription drug occurs that each transaction listed on the pedigree has occurred.

(5) The pedigree must include all necessary identifying information concerning each sale in the chain of distribution of the product from the manufacturer through acquisition and sale by any wholesale drug distributor or repackager until final sale to a pharmacy or other person dispensing or administering the prescription drug. At a minimum, the pedigree must include:

- (a) the name, address, telephone number, and, if available, e-mail address of each owner of the prescription

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drug and each wholesale drug distributor of the prescription drug;

(b) the name and address of each location from which the prescription drug was shipped, if different from the owner's;

(c) transaction dates;

(d) certification that each recipient has authenticated the pedigree;

(e) the name of the prescription drug;

(f) the dosage form and strength of the prescription drug;

(g) the size of the container;

(h) the number of containers;

(i) the lot number of the prescription drug; and

(j) the name of the manufacturer of the finished dosage form.

(6) Each pedigree must be:

(a) maintained by the dispensing pharmacy or individual and the wholesale drug distributor for 3 years from the date of sale or transfer; and

(b) available for inspection or use within 2 business days upon a request by the board or an authorized officer of the law.

(7) The board shall adopt rules, including a standard form, relating to the requirements of this section."

Insert: "NEW SECTION. Section 8. Enforcement -- cease distribution order. (1) The board shall issue an order requiring the appropriate person, including the manufacturers, wholesale drug distributors, or retailers of the prescription drug, to immediately cease distribution of the prescription drug in or to this state if the board finds that there is a reasonable probability that:

(a) a wholesale drug distributor, other than a manufacturer, has:

(i) violated a provision of this part; or

(ii) falsified a pedigree or sold, distributed, transferred, manufactured, repackaged, handled, or held a counterfeit prescription drug intended for human use;

(b) the prescription drug at issue in subsection (1)(a)(ii) could cause serious, adverse health consequences or death; and

(c) other procedures would result in unreasonable delay.

(2) An order under subsection (1) must provide the person subject to the order with an opportunity for an informal hearing, to be held not later than 10 days after the date of the issuance of the order, on the actions required by the order. If, after a hearing, the board determines that inadequate grounds exist to support the actions required by the order, the board shall vacate the order."

Insert: "NEW SECTION. Section 9. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. Section 10. Codification instruction. [Sections 6 through 8] are intended to be codified as an integral part of Title 37, chapter 7, part 6, and the provisions of Title 37, chapter 7, apply to [sections 6 through 8]."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

3/13/2007

SB 126, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/13/2007

SB 82, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/13/2007

HB 20, introduced by McNutt

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HB 43, introduced by McChesney
HB 48, introduced by McAlpin
HB 94, introduced by Van Dyk
HB 143, introduced by Reinhart
HB 167, introduced by Hands
HB 264, introduced by Heinert
HB 334, introduced by McChesney

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 822, introduced by Reinhart, Brueggeman, Weinberg, Hollenbaugh, Phillips, Stahl, Gebhardt, Lewis, Steinbeisser, Kitzenberg, Smith, Hawks, McAlpin, Hands, Jopek, Henry, French, Bixby, Wilmer, Driscoll, Cohenour, Augare, Raser, Bergren, Nooney, Ponnichowski, Sands, Wilson, Villa, Hollenbaugh, Milburn, Hansen, Lewis, Squires, Erickson, Hansen, referred to Taxation.

HB 823, introduced by Small-Eastman, Ankney, Stahl, Olson, referred to Taxation.

HB 824, introduced by Ingraham, referred to Taxation.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 46, introduced by Sands, Ingraham, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 807 - Representative Wells moved **HB 807** do pass.

HB 807 - Representative Wells moved **HB 807**, second reading copy, be amended as follows:

1. Page 17, line 17.

Strike: "1,530,000 2,510,000" [general fund FY08 and FY09]

Insert: "530,000 1,510,000" [general fund FY08 and FY09]

2. Page 18, line 6.

Strike: "1,500,000" [general fund FY08]

Insert: "750,000" [general fund FY08]

3. Page 18.

Strike: line 7 through line 8 in their entirety

Renumber: subsequent subsections

4. Page 19.

Strike: line 2 through line 3 in their entirety

Renumber: subsequent sections

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5. Page 21, line 25.

Strike: "\$1.5 million"

Insert: "\$750,000"

Strike: "\$1.75"

Insert: "\$1.375"

6. Page 22.

Strike: line 4 through line 9 in their entirety

7. Page 22.

Strike: line 12 through line 13 in their entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 807 - The motion to pass **HB 807**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 44

Excused: None.

Total 0

Absent or not voting: Himmelberger, Peterson.

Total 2

House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole Report be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

Majority Leader Lange moved the House stand in recess. House reconvened at 10:15 a.m.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 811 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Barrett, Dickenson, Erickson, Everett, Hamilton, Hawk, Heinert, Jore, Kasten, Koopman, Mendenhall, Sinrud, Small-Eastman, Witte, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: Beck.

Total 1

SB 19 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Augare, Bixby, Dickenson, McGillvray, Stahl.

Total 5

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 29 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser,

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Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Barrett, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Peterson, Phillips, Rice, Ripley, Sinrud, Wells, Witte.

Total 24

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

SB 30 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Kasten, Peterson, Sinrud.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 62 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 73 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 83 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Boggio, Everett, Jore, Kasten, Koopman, Mendenhall, Wells, Witte, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 84 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Nooney, Sinrud, Sonju, Taylor, Witte.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 85 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne, Jore.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading,

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recommend as follows:

HB 809 - Representative Glaser moved **HB 809** do pass.

HB 809 - Representative Glaser moved **HB 809**, second reading copy, be amended as follows:

1. Page 14.

Strike: lines 13 and 14

Renumber: subsequent subsections

Strike: lines 17 and 18

2. Page 14, line 22.

Strike: "461,986,238 465,156,773" [general fund FY08 and FY09]

Insert: "462,877,585 466,041,880" [general fund FY08 and FY09]

3. Page 16, line 20.

Strike: "2,701,765 2,831,110" [general fund FY08 and FY09]

Insert: "2,702,193 2,831,538" [general fund FY08 and FY09]

4. Page 17, line 22.

Strike: "916,251" [federal special revenue FY08]

Insert: "637,116" [federal special revenue FY08]

HB 809 - Representative Keane moved for cloture. Motion carried.

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 809 - The motion to pass **HB 809**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert,

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Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for purpose of doing business on second reading. Motion carried. Representative Himmelberger in the chair.

HB 805 - Representative Ripley moved **HB 805** do pass.

HB 805 - Representative Ripley moved **HB 805**, second reading copy, be amended as follows:

1. Page 16.

Following: line 23

Insert: "g. Coal Bed Methane Emergency Discharge Permits

75,000 75,000" [state special revenue FY08 and FY09]

2. Page 17.

Following: line 11

Insert: "If Senate Bill No. 407 is not passed and approved, Coal Bed Methane Emergency Discharge Permits is void."

3. Page 17, line 16.

Strike: "1,950,970 1,957,683" [state special revenue FY08 and FY09]

Insert: "1,933,461 1,939,273" [state special revenue FY08 and FY09]

4. Page 17, line 24.

Strike: "439,888 439,896" [general fund FY08 and FY09]

Insert: "300,000 300,000" [general fund FY08 and FY09]

Strike: "1,130,523 1,090,848" [state special revenue FY08 and FY09]

Insert: "1,269,238 1,229,423" [state special revenue FY08 and FY09]

5. Page 18, line 1.

Strike: "520,447 523,737" [state special revenue FY08 and FY09]

Insert: "525,362 528,539" [state special revenue FY08 and FY09]

Strike: "942,647 942,568" [federal special revenue FY08 and FY09]

Insert: "937,084 937,084" [federal special revenue FY08 and FY09]

6. Page 18, line 5.

Strike: "282,067 283,014" [state special revenue FY08 and FY09]

Insert: "282,136 283,083" [state special revenue FY08 and FY09]

Strike: "32,842 32,841" [federal special revenue FY08 and FY09]

Insert: "32,854 32,854" [federal special revenue FY08 and FY09]

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7. Page 18, line 9.

Strike: "2,870,886 2,882,893" [state special revenue FY08 and FY09]

Insert: "2,837,952 2,848,604" [state special revenue FY08 and FY09]

8. Page 18, line 13.

Strike: "562,725 564,693" [general fund FY08 and FY09]

Insert: "563,809 565,777" [general fund FY08 and FY09]

Strike: "562,725 564,693" [federal special revenue FY08 and FY09]

Insert: "563,809 565,777" [federal special revenue FY08 and FY09]

9. Page 19, line 18.

Strike: "4,173,717 4,186,945" [state special revenue FY08 and FY09]

Insert: "4,161,917 4,178,945" [state special revenue FY08 and FY09]

10. Page 19, line 26.

Strike: "13,856,479 13,900,494" [general fund FY08 and FY09]

Insert: "8,856,479 8,900,494" [general fund FY08 and FY09]

11. Page 20, line 22.

Following: "helicopters."

Strike: remainder of line 22 through "program." on line 23

12. Page 21, line 2.

Strike: "97,242 104,757" [general fund FY08 and FY09]

Insert: "97,806 105,289" [general fund FY08 and FY09]

Strike: "693,330 694,399" [state special revenue FY08 and FY09]

Insert: "718,446 718,068" [state special revenue FY08 and FY09]

13. Page 21, line 3.

Strike: "83,874 84,021" [proprietary fund FY08 and FY09]

Insert: "86,414 86,414" [proprietary fund FY08 and FY09]

14. Page 21, line 10.

Strike: "278,056 278,422" [general fund FY08 and FY09]

Insert: "156,557 156,677" [general fund FY08 and FY09]

Strike: "5,729,095 5,720,979" [state special revenue FY08 and FY09]

Insert: "5,703,603 5,689,085" [state special revenue FY08 and FY09]

Strike: "2,100,387 2,491,601" [federal special revenue FY08 and FY09]

Insert: "2,034,920 2,427,081" [federal special revenue FY08 and FY09]

15. Page 21, line 20.

Strike: "389,740 391,771" [general fund FY08 and FY09]

Insert: "362,254 363,882" [general fund FY08 and FY09]

Strike: "339,911 340,900" [proprietary fund FY08 and FY09]

Insert: "368,323 369,240" [proprietary fund FY08 and FY09]

16. Page 21, line 21.

Strike: "3,668,232 3,670,746" [state special revenue FY08 and FY09]

Insert: "3,612,517 3,613,895" [state special revenue FY08 and FY09]

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17. Page 22, line 3.

Strike: "1,932,974 1,940,974" [general fund FY08 and FY09]

Insert: "1,886,937 1,894,890" [general fund FY08 and FY09]

18. Page 22.

Strike: line 8 through line 9 in their entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 805 - Representative Sinrud moved **HB 805**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Malcolm, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 805 - The motion to pass **HB 805**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion to rise and report carried as follows.

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Himmelberger, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for the purpose of doing business on second reading. Motion carried. Representative Himmelberger in the chair.

HB 806 - Representative Lange moved consideration of **HB 806** be passed for the day. Motion carried.

HB 808 - Representative Lange moved consideration of **HB 808** be passed for the day. Motion carried.

HB 804 - Representative Lange moved consideration of **HB 804** be passed for the day. Motion carried.

HB 111 - Representative Furey moved that Senate Amendments to **HB 111** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Butcher.

Total 1

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 461 - Representative Ebinger moved **HB 461** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 91

Noes: Everett, Hawk, Jore, Kerns, Koopman, Lake, Ross, Stoker, Witte.
Total 9

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 81 - Representative Becker moved **SB 81** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 93

Noes: Franklin, Hawk, Jore, Koopman, Nooney, Mr. Speaker.
Total 6

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: Mendenhall.
Total 1

SB 136 - Representative Hendrick moved **SB 136** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 82 - Representative Wilmer moved **SB 82** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Boggio, Jore, Kasten, Mendenhall, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 10

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 126 - Representative Van Dyk moved **SB 126** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Beck, Boggio, Everett, Hawk, Heinert, Hilbert, Jore, Kasten, Kerns, McGillvray, Olson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

SB 187 - Representative Ross moved **SB 187** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

Voted Absentee: Ward, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 188 - Representative Barrett moved **SB 188** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 99

Noes: Jore.
Total 1

Voted Absentee: Ward, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 92

Noes: Bixby, Campbell, Jopek, Sinrud, Wiseman.
Total 5

Excused: Ward.
Total 1

Absent or not voting: Himmelberger, Phillips.
Total 2

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Thursday, March 15, 2007. Motion carried.

House adjourned at 1:35 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 15, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Glaser. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/14/2007
Signed by the President at 2:45 p.m., March 14, 2007: **HB 18, HB 38, HB 46, HB 76, HB 82, HB 106, HB 137, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402, HB 48, HB 156.**

Delivered to the Governor for approval at 9:35 a.m., March 14, 2007: **HB 18, HB 38, HB 46, HB 48, HB 76, HB 82, HB 106, HB 137, HB 156, HB 158, HB 162, HB 226, HB 255, HB 274, HB 290, HB 402.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/14/2007
HB 13, introduced by Sesso
HB 62, introduced by Jacobson
HB 65, introduced by Villa

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 444, introduced by Wanzenried, Henry, referred to Business and Labor.
SB 445, introduced by M. Tropila, Cobb, Olson, Koopman, referred to Federal Relations, Energy, and Telecommunications.
SB 446, introduced by Perry, referred to Natural Resources.
SB 447, introduced by Perry, referred to Judiciary.
SB 448, introduced by Wanzenried, referred to Federal Relations, Energy, and Telecommunications.
SB 449, introduced by Gillan, referred to Transportation.
SB 450, introduced by Juneau, Augare, Cordier, Jayne, referred to Natural Resources.
SB 451, introduced by Harrington, referred to Business and Labor.
SB 452, introduced by Williams, Nooney, Murphy, Noonan, Squires, Pomnichowski, MacLaren, Hendrick, Lewis, Hawks, W. Jones, Wanzenried, Erickson, Reinhart, Hansen, McAlpin, Harrington, Schmidt, Sands, Stahl, Weinberg, Lind, Brueggeman, referred to Natural Resources.
SB 453, introduced by Essmann, referred to Business and Labor.
SB 459, introduced by Elliott, Black, Tash, McGee, J. Peterson, Wanzenried, Laslovich, Story, Perry, Brueggeman, referred to State Administration.
SB 461, introduced by Bales, Kasten, Lambert, Gebhardt, Ankney, referred to Natural Resources.
SB 465, introduced by Cocchiarella, McNutt, referred to Business and Labor.
SB 466, introduced by Cocchiarella, referred to Business and Labor.
SB 467, introduced by Cocchiarella, referred to Business and Labor.
SB 478, introduced by Weinberg, Clark, W. Jones, referred to Human Services.
SB 479, introduced by Elliott, referred to Agriculture.

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SB 480, introduced by Lind, referred to Business and Labor.
SB 481, introduced by Wanzenried, referred to Judiciary.
SB 485, introduced by Brueggeman, referred to Business and Labor.
SB 486, introduced by Shockley, Laslovich, referred to Judiciary.
SB 487, introduced by Story, referred to Taxation.
SB 488, introduced by Ryan, referred to Education.
SB 489, introduced by Cocchiarella, referred to State Administration.
SB 491, introduced by Moss, referred to Business and Labor.
SB 492, introduced by Gebhardt, referred to Taxation.
SB 497, introduced by Moss, Williams, Juneau, Schmidt, Gillan, Curtiss, Kaufmann, Squires, Cocchiarella, referred to State Administration.
SB 502, introduced by Cooney, referred to State Administration.
SB 503, introduced by Perry, Ankney, referred to Local Government.
SB 504, introduced by Kaufmann, referred to Human Services.
SB 505, introduced by Squires, referred to Human Services.
SB 507, introduced by Story, referred to Taxation.
SB 508, introduced by Hawks, referred to Education.
SB 509, introduced by Gallus, referred to State Administration.
SB 514, introduced by Balyeat, Shockley, Black, Sales, Brown, Lewis, Murphy, Gallus, Jackson, J. Peterson, Barkus, Story, McGillvray, O'Neil, Steinbeisser, Laible, Wanzenried, referred to Taxation.
SB 517, introduced by Black, referred to State Administration.
SB 518, introduced by Perry, referred to Human Services.
SB 521, introduced by Esp, referred to Human Services.
SB 523, introduced by Laslovich, referred to Judiciary.
SB 524, introduced by Wanzenried, referred to Business and Labor.
SB 525, introduced by Elliott, referred to Taxation.
SB 527, introduced by Gillan, referred to Local Government.
SB 529, introduced by Essmann, referred to Taxation.
SB 531, introduced by Weinberg, referred to Business and Labor.
SB 532, introduced by Gallus, referred to State Administration.
SB 533, introduced by M. Tropila, Black, referred to Taxation.
SB 535, introduced by Cocchiarella, referred to Business and Labor.
SB 537, introduced by Brown, referred to Business and Labor.
SB 538, introduced by Elliott, referred to State Administration.
SB 539, introduced by Wanzenried, referred to Taxation.
SB 540, introduced by Jackson, Cocchiarella, Brown, Squires, Smith, Steinbeisser, Balyeat, Larson, referred to Business and Labor.
SB 542, introduced by Ryan, referred to Business and Labor.
SB 544, introduced by Hansen, Small-Eastman, Glaser, referred to Agriculture.
SB 547, introduced by Perry, Sands, Ankney, Curtiss, Pease, Williams, Bales, Juneau, Stapleton, Jent, Wanzenried, Moss, Laslovich, Cooney, McGee, Brown, Barkus, Laible, Gillan, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 806 - Representative Beck moved **HB 806** do pass.

HB 806 - Representative Jore moved **HB 806**, second reading copy, be amended as follows:

1. Page 13, line 21.

Strike: "6,902,332 6,926,159" [general fund FY08 and FY09]

Insert: "6,084,998 6,105,769" [general fund FY08 and FY09]

Strike: "4,991,696 5,007,578" [state special FY08 and FY09]

Insert: "4,446,807 4,460,652" [state special FY08 and FY09]

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: Mendenhall.

Total 1

HB 806 - Representative Glaser moved **HB 806**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 806 - The motion to pass **HB 806**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried as follows:.

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Motion carried as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: None.
Total 0

Absent or not voting: Ripley.
Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 808 - Representative Clark moved **HB 808** do pass.

HB 808 - Representative Clark moved **HB 808**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Heinert, Hendrick, Hilbert, Ingraham, W. Jones, Kasten, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Witte.
Total 39

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 60

Excused: None.
Total 0

Absent or not voting: L. Jones.
Total 1

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HB 808 - Representative Clark moved **HB 808**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Glaser, Heinert, Hendrick, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Witte.
Total 39

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 61

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 808 - Representative Clark moved **HB 808**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Butcher, Clark, Dutton, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Taylor, Vincent, Ward, Witte.
Total 34

Noes: Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Kottel, McAlpin, McChesney, McGillvray, Mendenhall, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 66

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the House be at recess for the purpose of amendment distribution. Being no objections, so ordered.

HB 808 - Representative McGillvray moved for cloture. Motion, requiring two-thirds vote, **failed** as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 808 - Representative Olson moved for cloture. Motion, requiring two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 808 - Representative Keane moved for cloture. Motion carried.

HB 808 - The motion to pass **HB 808 failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 46

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 54

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 240 - Representative Nooney moved **HB 240** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Everett, Jore, Kasten, Kerns, Koopman, Mendenhall, Peterson, Mr. Speaker.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 329 - Representative Windy Boy moved **HB 329** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Butcher, Everett, Hawk, Heinert, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Peterson, Wells, Witte, Mr. Speaker.

Total 15

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 621 - Representative McGillvray moved consideration of **HB 621** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Dickenson, Franklin, Gallik, Hilbert, Himmelberger, Jayne, W. Jones, Mendenhall, Musgrove, Stahl, Wilson.
Total 11

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 111 Senate Amendments be concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore.
Total 1

Excused: None.
Total 0

Absent or not voting: Sinrud.

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Total 1

HB 461 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Everett, Groesbeck, Hawk, Himmelberger, Jore, Kerns, Koopman, Lake, Ross, Stoker.

Total 10

Excused: None.

Total 0

Absent or not voting: Sinrud, Vincent.

Total 2

SB 81 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Butcher, Hawk, Jore, Kasten, Koopman, Lake, Nooney, Witte, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: MacLaren, Sinrud.

Total 2

SB 82 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove,

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Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Beck, Blasdel, Boggio, Jore, Kasten, Mendenhall, Sinrud, Sonju, Vincent, Wells, Witte, Mr. Speaker.

Total 12

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 126 concurred in as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 82

Noes: Ankney, Barrett, Boggio, Everett, Hawk, Heinert, Jore, Kasten, Kerns, McGillvray, Mendenhall, Nooney, Olson, Rice, Ripley, Taylor, Witte.

Total 17

Excused: None.

Total 0

Absent or not voting: Sinrud.

Total 1

SB 136 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 187 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore, Koopman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 188 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore, Koopman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 237, as amended, concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 95

Noes: Beck, Lange, Sinrud, Witte.

Total 4

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

MOTIONS

HB 808 - Representative Lange moved to reconsider action taken on **HB 808** and that it be placed on second reading. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: None.

Total 0

Absent or not voting: Gallik.

Total 1

HB 2 - Representative Parker moved **HB 2** be taken from the table in the Committee on Appropriations and be placed on second reading. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker,

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Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 11:00 a.m., Friday, March 16, 2007. Motion carried.

House adjourned at 11:50 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 16, 2007

House Chambers
State Capitol

House convened at 11:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Clark and Representative Ward who were excused. Quorum present.

COMMUNICATIONS AND PETITIONS

March 15, 2007
House of Representatives
Capitol Station
Helena, MT 59620

Dear Marilyn,

This letter is to inform you that I have re-appointed Representative Walter McNutt and Representative George Groesbeck to the Legislative Consumer Committee.

Sincerely,

Scott Sales
Speaker of the House

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 3/16/2007
Correctly engrossed: **SB 98, SB 116.**
Correctly enrolled: **HB 13, HB 62, HB 65, HB 111.**
Correctly enrolled: **HB 13, HB 62, HB 65, HB 111.**
Examined by the sponsor and found to be correct: **HB 13, HB 62, HB 65, HB 111.**

APPROPRIATIONS (Sinrud, Chairman): 3/16/2007
HB 818, do pass. Report adopted.
HB 819, do pass. Report adopted.
HB 820, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/15/2007
HB 51, introduced by Pomnichowski
HB 67, introduced by Heinert
HB 102, introduced by Jacobson
HB 128, introduced by Becker
HB 145, introduced by Sonju
HB 244, introduced by Wiseman
HB 286, introduced by Augare

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HB 31, introduced by Kottel

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 149, introduced by Jopek

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments:

HJR 20, introduced by Milburn

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 825, introduced by Jore.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 47, introduced by French, Stoker, Cohenour, referred to Human Services.

The following bills were introduced, read first time, and referred to committees:

SB 403, introduced by Lind, referred to Taxation.

SB 404, introduced by Lind, referred to Judiciary.

SB 406, introduced by Bales, Steinbeisser, Lewis, Tash, Black, Curtiss, Story, Gebhardt, referred to Local Government.

SB 407, introduced by Bales, Black, Lambert, referred to Natural Resources.

SB 411, introduced by Laible, referred to Judiciary.

SB 412, introduced by Brueggeman, Callahan, Hollenbaugh, referred to Education.

SB 413, introduced by Moss, Musgrove, referred to Appropriations.

SB 414, introduced by Laslovich, Lewis, Mendenhall, Murphy, Parker, referred to Transportation.

SB 416, introduced by Kaufmann, Mendenhall, referred to Taxation.

SB 418, introduced by Weinberg, referred to Taxation.

SB 419, introduced by Lind, referred to Business and Labor.

SB 422, introduced by Gebhardt, Wanzenried, referred to Transportation.

SB 423, introduced by Kaufmann, referred to Natural Resources.

SB 424, introduced by Moss, referred to Judiciary.

SB 431, introduced by Lind, referred to Natural Resources.

SB 433, introduced by Laslovich, referred to Judiciary.

SB 434, introduced by Cocchiarella, Arntzen, Hawks, Tash, Bales, Bergren, Villa, Schmidt, Lake, McGillvray, Perry, referred to Business and Labor.

SB 437, introduced by Elliott, referred to Judiciary.

SB 439, introduced by Elliott, referred to Taxation.

SB 440, introduced by J. Tropila, referred to Business and Labor.

SB 442, introduced by Kaufmann, referred to Natural Resources.

SB 443, introduced by Squires, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 808 - Representative Lange moved consideration of **HB 808** be passed for the day. Motion carried.

HB 99 - Representative Olson moved **HB 99** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Jayne, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Noonan, Rice, Sesso, Wells, Witte, Mr. Speaker.

Total 15

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Himmelberger, Sands, Sinrud.

Total 3

HB 195 - Representative Lange moved **HB 195** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 84

Noes: Callahan, Campbell, Everett, Franklin, Furey, Hiner, Kasten, Kerns, Koopman, Lake, Noonan, Sesso, Sinrud, Sonju, Mr. Speaker.

Total 15

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Vincent.

Total 1

HB 196 - Representative Lange moved **HB 196** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Dickenson, Dutton,

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Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wells, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 69

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Driscoll, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Koopman, McAlpin, Parker, Pomnichowski, Raser, Reinhart, Van Dyk, Wilmer.

Total 28

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Arntzen, Vincent, Witte.

Total 3

HB 665 - Representative Lange moved consideration of **HB 665** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Driscoll, Franklin, Gallik, Jore, Koopman, Mendenhall.

Total 6

Excused: Clark, Ward.

Total 2

Absent or not voting: Arntzen, Bergren, Callahan.

Total 3

The House reconvened at 2:00 p.m. Mr. Speaker in the Chair.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Clark escorted the Senate into the House Chambers.

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Speaker Sales introduced President Cooney and yielded the chair to him.

Senator Williams moved that the body resolve itself into a joint session for the purpose of receiving the address from Montana's Congressman, the Honorable Denny Rehberg.

Senator Williams moved that President Cooney be authorized to appoint a committee of four to notify Congressman Denny Rehberg that the House was in joint session and ready to receive his address. Motion carried.

President Cooney appointed Senators Gillan and Essmann and Representatives Pomnichowski and Nooney and discharged them to escort the Honorable Congressman into the House Chamber.

The committee escorted Congressman Rehberg into the House.

Father Lowney, Senate Chaplain, gave the invocation.

President Cooney led the assembly in the Pledge of Allegiance to the Flag.

After being presented to the members of both houses by President Cooney, Montana's Congressman Denny Rehberg gave this speech to the House Chamber:

Address to 2007 Montana Legislature
Montana Congressman Denny Rehberg
March 16, 2007

Distinguished members of the Legislature, honored guests, my fellow Montanans...

Thank you for allowing me to be here today. It's good to be back at the State Capitol. It's truly a privilege to stand before you once again as Montana's Congressman and discuss what we can do together for Montana.

I'm going to talk today about the future, but before I get into the substance of my remarks I want to show you the future. In the audience today is young man by the name of Toby Marx. Toby is the son of Glenn and Terri Marx. Some of you may remember Glenn's name because of his service to Montana working for Congressman Ron Marlenee and Governors Stan Stephens and Marc Racicot. Toby is a 2006 graduate of Whitehall High School where he was Valedictorian and an accomplished athlete. Last year I appointed Toby to West Point where he just finished his first semester, is an Engineering major, and is on the Dean's List. When he graduates Toby will be commissioned as a 2nd Lieutenant and will have a five year obligation in the U.S. Army. Young men like Toby make me feel pretty good about Montana's future and America's future and I want to thank him for his service.

I would also like to take a minute and pay tribute to all of the brave young men and women serving to protect America, at home, and abroad. Their deeds and service will remain forever engraved in the archives of a grateful nation and in the hearts of their family and friends.

When I last spoke to you two years ago, circumstances were very different in the U.S. House. While the changes certainly bring new challenges, the priority remains the same: making sure Montana has a seat at the table in Washington DC.

As many of you know, I visit each of Montana's 56 counties every congressional term – which means I get a lot of frequent driver miles. It also means I spend a lot of time talking to Montanans and filling up at gas stations – and those conversations and fill-ups ensure that energy issues, and their solutions, are never far from my mind.

Those of us in elective office should never tire of talking about energy problems, and finding energy solutions, because

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it's not a matter of time – we are already facing energy shortages across the country.

It's not a matter of money, as federal and state governments continue to combine to spend billions through LIHEAP and other such programs to try and make sure folks don't have to choose between paying their energy bill and putting food on the table.

And it certainly shouldn't be a matter of politics. The need for a National energy policy and the time for Montana to be part of the comprehensive national energy policy is NOW. It's time for all of us to quit blaming each other for what's not being done and start the task of creating a long-term plan that will prevent price shocks, prevent energy shortages, and establish a level of energy consistency and price stability Montanans have the right to expect.

The status quo is unacceptable. When it comes to energy; we need to do more. MUCH MORE. If Americans nationwide and Democrats and Republicans especially in Washington D.C. are willing to work together and put aside regional and partisan differences, we can accomplish a lot in a short period. And frankly, we don't have a choice.

Let's talk about the principles of an effective, comprehensive energy policy that would address our needs today, AND tomorrow.

One – America will be stronger if it develops 21st Century technology and market-oriented solutions to environmental conservation, and energy consumption.

Protecting the environment and producing energy are not mutually exclusive.

Two – The lengthy process of environmental planning must be made more efficient and cost effective. We don't need more bureaucracy and burdensome regulations. We need the kind of common sense environmental regulations that are balanced and reasonable.

Three – America should focus its energy policy in four areas: basic research for a new energy system, incentives for conservation, more renewable resources, and environmentally sound development of fossil fuels.

You, like me, read the headlines every day. Venezuela this – Saudi Arabia that – OPEC this – Iran that. A threat to America's energy security is a threat to national security. Our “dependence” on OPEC and foreign oil entangles us in the Middle East and makes us dependent on countries that are hostile to America and American interests. The greater America's dependence on foreign energy, the greater the threat to American national security.

What does that have to do with the 60th Montana Legislative Session?

With full confidence I can say that what you are going to discuss over the final days of this session has vastly more to do with our long-term national security than anything Congress will do about the Middle East in the next few months. And what you need is a sense of the strategic importance of energy independence, and why it is urgent at a national security level.

If you were to take all of Latin America and look at the amount we have spent there since 1979 in terms of national defense, military activities, etc. and then you were to take all of sub-Saharan Africa and look at the amount we have spent there since 1979 – and then you were to look at the Persian Gulf and add up the cumulative investment of trying to add stability to the region – that's the underlying cost of the current energy economy in America. So it's important to think about what the current energy economy costs us and what would a dramatically different future energy economy cost us.

Think of the exciting possibilities....more wind projects, solar projects, coal to liquids, biomass, biofuels (cellulosic ethanol), and things we haven't even thought of yet.

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These are just some of the major building blocks of creating a national security environment where our balance of payments is dramatically better because the energy money is staying here at home, and the ability of any foreign government, whether it's a dictator in Venezuela or a dictator in Iran, to, in any way, threaten the U.S. and the world economy in energy terms is substantially reduced. So I want to start by saying, in my mind, there are decisions you in Helena and us in Washington are going to have to make soon because these decisions will bring together national security, the environment, the future economic health of the U.S., the quality of life in rural America and incomes for our farmers and ranchers.

Today, I want to address one of those building blocks – Clean Coal.

Last June, I asked the Department of Energy to assign an expert to my office to figure out why Montana has the largest recoverable coal reserves in America, and only ranks 6th in production...

Why Wyoming has 10 times the production we do....

Why 7 states competed to be the site for FutureGen, the world's first coal-fueled zero emissions electricity and hydrogen power plant. Through the use of advanced coal gasification technologies and carbon sequestration, FutureGen offers the opportunity to use our plentiful American coal resources to meet our growing energy needs, while protecting the health of our people and our environment – and Montana didn't even submit a proposal.

The person lent to my office turned out to be an exceptionally qualified gentleman by the name of Bob Wright, an engineer and PhD with over 40 years of experience in energy technologies and electrical power generation, both fossil fuels and nuclear. In prior assignments, he was responsible for providing support to decision makers for programs and policy addressing global climate change, hydrogen production and geologic carbon sequestration.

In his final report to me, Bob did not mince words. – Prior initiatives to provide incentives for the production and use of coal in Montana have failed. The establishment of state incentives, both financial and non-financial, is absolutely critical because incentives by the federal government are applicable in all states – for Montana to move beyond rhetoric and actually do something, it must compete with other states for the one or two commercial plants that we know will be built somewhere in America in the next 10 years.

What other states offer incentives for coal gasification? – Illinois, Indiana, Minnesota, Ohio, Pennsylvania, Texas, and Wyoming.

So I asked Bob to study these states – and come up with ideas for me in Congress, and you in Montana. Big ideas....

I sometimes jokingly say – creativity is great, but plagiarism is a whole lot faster. Let's take their ideas.... And do it bigger and better.

In these 7 states...grants are used to conduct studies, perform research and provide educational opportunities in specific disciplines.

Why not award merit-based competitive grants for specific studies and research projects addressing the production and use of coal within Montana. Limit these awards to a maximum of \$2.5 million with a performance period not to exceed (3) years.

Or -- award grants to schools of secondary education up to \$25,000 per school per year, for either a curriculum or program in energy that must include a balance among conservation, renewable energy, coal, natural gas, petroleum and, yes, even nuclear energy.

How about establishing, at the university level, programs that lead to a bachelor's degree in the production and use

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of coal and clean coal technologies?

Another approach to financial incentives for some states is to offer tax credits. These credits are available for all new coal technology and coal-to-liquids facilities and would be offered per ton of coal used. They would expire after a specific number of total tons have been consumed or after a set number of years have passed.

The highest level of commitment to coal would be for Montana to establish a coal and economic development office. Several states have done so. For example, in the state of Ohio, the Ohio Development Office co-funds development and implementation of technologies that can use their state's high-sulfur coal in an economical, environmentally sound manner. Illinois and Wyoming have done the same.

These are just some of the many, many recommendations Dr. Wright spent 8 months researching for me. I have brought along with me today a copy of his report for each of you.

What, you might ask, am I doing to help?

As you know, I am a member of the House Appropriations Committee.

Last month, the Congress passed, and the President signed, a \$1.2 billion appropriation for the Department of Energy's Energy Efficiency and Renewable Energy Programs. These programs fund weatherization, efficiency deployment, industrial technologies, equipment standards and analysis, and distributed energy – which all play a key role in the research, development, and deployment of new energy efficiency technologies.

I'm a cosponsor of 25 x 25 which means that by the year 2025, America's agricultural, forestry, and working lands will provide 25% of the total energy consumed in the U.S. from renewable sources. Nearly 400 agricultural, environmental and industry groups have endorsed the legislation.

Along with Nick Rahall, Democrat Chairman of the Natural Resources Committee, I have introduced the Coal-to-Liquid Fuel Promotion Act of 2007. This legislation addresses DOE loan guarantees for the first 10 large-scale plants, and expands federal tax incentives for investment and production (including the infrastructure needed to sequester carbon) capped at \$200 million a plant.

And next week, I am introducing legislation to streamline the permitting process for new coal-to-liquids facilities. My bill is intended to create a cooperative approach between federal, state, and tribal government in order to develop and approve permits in a timely manner, and create deadlines for permit approval.

The President laid down the challenge in last year's State of the Union Address: Make America more energy independent....

He said, "To change how we power our homes and offices, we will invest more in zero-emission coal-fired plants, revolutionary solar winds and technologies, and clean, safe nuclear energy."

Let's make this our Montana mission; our vision for the future:

To modernize our infrastructure so that we can deliver energy more efficiently and inexpensively, and open the door to new sources of fuel...

Pursue hydrogen and other alternative sources that offer breakthrough advances in energy production....

And explore all new possibilities right here at home so that we, Montana, can become the energy laboratory of the future.

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For in the end, it will be the 300 million Americans who will benefit the most. If we can put a man on the moon and return him safely, we can address and solve the energy challenges facing America today. It is a challenge worthy of our best minds and most determined efforts. And it's a challenge I'm confident we will meet... and beat.

Thank you all for your kind attention. Good day, and God bless you all.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Saturday, March 17, 2007. Motion carried.

House adjourned at 2:33 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 17, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Hendrick. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Bixby and Representative Clark who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-second, fifty-third, fifty-fourth, and fifty-fifth legislative days, find the same to be correct.

L. Jones, Chair

Speaker Sales thanked the current pages and introduced the two Honorary Pages of the day:

Quinn Kurokawa, Montana City
Valerie Kutsch, Bozeman

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Mendenhall, Chairman):

3/16/2007

SB 116, be amended as follows:

1. Page 3, line 12.

Following: "telephone,"

Strike: "TELEFAX,"

2. Page 3, line 24.

Following: "TELEPHONE"

Strike: "OR TELEFAX"

3. Page 4, following line 9.

Insert: "(c) For the purposes of this section, "normal business hours" means from 6 a.m. to 9:30 p.m., mountain standard time or mountain daylight time, seven days a week excluding holidays."

4. Page 6, line 12.

Following: "TELEPHONE"

Strike: "OR TELEFAX"

5. Page 7, line 28.

Strike: "(A)"

6. Page 8, line 2 through line 3.

Strike: subsection (B) in its entirety

And, as amended, be concurred in. Report adopted.

SB 323, be concurred in. Report adopted.

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STATE ADMINISTRATION (Himmelberger, Chairman):
SB 98, be amended as follows:

3/16/2007

1. Title, page 1, line 7 through line 8.
Strike: "PROVIDING" on line 7 through ";" on line 8

2. Page 1, line 28 through page 2, line 30.
Strike: section 2 in its entirety
Renumber: subsequent sections

3. Page 3, line 4.
Strike: "SUBJECT TO [SECTION 2], THE"
Insert: "The"

4. Page 8, line 10.
Strike: "[SECTION 2] AND"
Strike: "OF THIS SECTION"

5. Page 9, line 5.
Strike: ", SUBJECT TO [SECTION 2],"

6. Page 9, line 8.
Strike: ", SUBJECT TO [SECTION 2],"

7. Page 10, line 10 through line 11.
Strike: ", SUBJECT TO [SECTION 2]"

8. Page 10, line 14.
Strike: ", SUBJECT TO [SECTION 2]"

9. Page 10, line 23.
Strike: "SUBJECT TO [SECTION 2], THREE"
Insert: "Three"

10. Page 11, line 13.
Strike: "SUBJECT TO [SECTION 2], THREE"
Insert: "Three"

11. Page 15, line 3.
Strike: "(1)"

12. Page 15, line 5 through line 6.
Strike: subsection (2) in its entirety

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

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HB 70, introduced by Clark
HB 81, introduced by Hamilton
HB 87, introduced by Cordier
HB 90, introduced by MacLaren
HB 144, introduced by Becker
HB 332, introduced by Thomas
HB 449, introduced by Pomnichowski
HB 531, introduced by Lambert
HB 193, introduced by Nooney

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 826, introduced by McChesney, Gallus, Ankney, Gebhardt, O'Hara, Kottel, Thomas, Olson, referred to Taxation.

HB 827, introduced by Himmelberger, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 665 - Representative Arntzen moved **HB 665** do pass.

HB 665 - Representative Arntzen moved **HB 665**, second reading copy, be amended as follows:

1. Page 2, line 18.

Following: " ; "

Insert: "and"

2. Page 2, line 19.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

3. Page 4, lines 3 and 4.

Following: "training" on line 3

Strike: remainder of line 3 through "(1)(b)" on line 4

4. Page 4, line 7.

Following: "training."

Insert: "A person who is not licensed may not use the titles listed in this subsection (1)(b). Except for an individual listed in subsection (2)(a), an individual who is not certified or licensed as an athletic trainer may not advertise for athletic training services."

5. Page 4, line 20.

Strike: "OR"

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6. Page 4, line 21.

Following: "MASSAGE"

Insert: "; or

(g) a coach, physical education teacher, athletic director, other school employee, or supervised volunteer from providing first aid, preventative care, or continuous followup care of athletes and athletic injuries in a school setting."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 89

Noes: Jore, Keane, Koopman, Sinrud, Sonju, Stoker, Wells, Windy Boy, Witte, Mr. Speaker.

Total 10

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.

Total 0

Absent or not voting: Ross.

Total 1

HB 665 - The motion to pass **HB 665**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 70

Noes: Beck, Butcher, Campbell, Dutton, Everett, Groesbeck, Hawk, Heinert, Hollenbaugh, Jacobson, Jopek, Jore, Kasten, Keane, Koopman, Lake, Lambert, McChesney, Noonan, Phillips, Rice, Ripley, Sesso, Sinrud, Sonju, Stoker, Villa, Wells, Windy Boy, Mr. Speaker.

Total 30

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 818 - Representative Taylor moved **HB 818** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 819 - Representative Taylor moved **HB 819** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

HB 820 - Representative Taylor moved **HB 820** do pass.

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HB 820 - Representative Kasten moved for cloture. Motion, which required two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Driscoll, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 55

Noes: Augare, Becker, Bergren, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 43

Excused: Bixby, Clark.

Total 2

Absent or not voting: None.

Total 0

HB 820 - Representative Milburn moved for cloture. Motion carried.

HB 820 - Representative Taylor moved **HB 820** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Excused: Bixby, Clark.
Total 2

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 99 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Hendrick, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, Rice, Wells, Witte, Mr. Speaker.
Total 15

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 195 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser,

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Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte.

Total 91

Noes: Callahan, Everett, Franklin, Jore, Kasten, Koopman, Lake, Wiseman, Mr. Speaker.

Total 9

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 196 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Dutton, Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 67

Noes: Augare, Becker, Bixby, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Franklin, Furey, Gallik, Grinde, Hamilton, Henry, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, McAlpin, Parker, Pomnichowski, Raser, Reinhart, Sesso, Van Dyk, Wilmer, Wilson, Wiseman.

Total 33

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 240 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer,

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Wilson, Windy Boy, Wiseman.
Total 89

Noes: Everett, Jore, Kasten, Kerns, Koopman, Mendenhall, Morgan, Peterson, Stoker, Witte, Mr. Speaker.
Total 11

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 329 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 87

Noes: Butcher, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Peterson, Wells, Witte.
Total 13

Voted Absentee: Bixby, Clark, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 805 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 806 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 807 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye; Bixby, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 809 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Clark, Aye; Bixby, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Lange moved to re-refer **HB 808** to the Committee on Appropriations.
Representative Noonan objected and then withdrew his motion.
The motion to move **HB 808** to the Committee on Appropriations passed without further objections.

Majority Leader Lange moved **HB 665** be re-referred to the Committee on Appropriations. Without objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, March 19, 2007. Motion carried.

House adjourned at 10:50 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 19, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Clark who was excused. Quorum present.

Speaker Sales introduced the pages for the week:

Pages:	Ryan McChesney, Miles City Ian Hamilton, Missoula Jessica Studiner, Absarokee Audra Cornwell, Glasgow Meghan Stokes, Pendroy Rachel Chansler, Lolo Mary Callahan-Baumstark, Missoula Lane Hamilton, Lolo
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REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):	3/19/2007
Signed by the Chief Clerk of the House at 2:30 p.m., March 14, 2007: HB 20, HB 43, HB 84, HB 94, HB 143, HB 167, HB 264, HB 334.	
Signed by the Speaker at 10:00 a.m., March 16, 2007: HB 20, HB 43, HB 84, HB 94, HB 143, HB 167, HB 264, HB 334.	
Signed by the President at 3:55 p.m., March 16, 2007: HB 20, HB 43, HB 84, HB 94, HB 143, HB 167, HB 264, HB 334.	
Correctly enrolled: HB 51, HB 67, HB 102, HB 128, HB 145, HB 244, HB 286, 70, 81, 87, 90, 144, 332, 449, 531.	3/16/2007
Signed by the Speaker at 10:15 a.m., March 17, 2007: HB 62.	
Signed by the Chief Clerk of the House at 1:45 p.m., March 17, 2007: HB 62.	
Correctly printed: SB 323.	3/17/2007
Delivered to the Governor for approval at 12:20 p.m., March 19, 2007: HB 20, HB 43, HB 84, HB 94, HB 143, HB 167, HB 264, HB 334.	
Correctly printed: SB 45, SB 108, SB 319, SB 339.	
Examined by the sponsor and found to be correct: HB 286, HB 67, 244	3/19/2007

BUSINESS AND LABOR (Mendenhall, Chairman):	3/19/2007
SB 45 , be concurred in. Report adopted.	
SB 108 , be concurred in. Report adopted.	
SB 319 , be concurred in. Report adopted.	
SB 339 , be concurred in. Report adopted	

JUDICIARY (Rice, Chairman):	3/19/2007
SB 50 , be amended as follows:	

1. Title, line 7.
Strike: "UNDER" through "JUVENILE"

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Insert: "ON"

2. Title, line 8.

Following: "PROBATION"

Insert: "OR PAROLE"

Strike: "A DEPARTMENT OR YOUTH COURT"

Insert: "AN"

3. Title, line 9.

Following: "VOLUNTEER"

Insert: "OF THE SUPERVISING AUTHORITY"

4. Page 1, line 17.

Strike: "Definition"

Insert: "Definitions"

5. Page 1, line 23.

Following: "or"

Insert: "or"

6. Page 1, lines 24 and 25.

Strike: "under the supervision of the department of corrections"

Insert: "on probation or parole"

7. Page 1, line 26.

Strike: "department of corrections"

Insert: "supervising authority"

8. Page 1, lines 27 through 30.

Strike: "; or" on line 27 through "VICTIM" on line 30

9. Page 2, line 1.

Strike: "Subsections (1)(b)(v) and (1)(b)(vi) do"

Insert: "Subsection (1)(b)(v) does"

10. Page 2, line 2.

Following: "officer"

Insert: "of a supervising authority"

11. Page 2.

Following: line 7

Insert: "(4) As used in 45-5-503 and this section, the following definitions apply:

(a) "Parole" has the meaning provided in 46-1-202.

(b) "Probation" means release by a court without imprisonment of a defendant found guilty of a crime and subject to the supervision of a supervising authority.

(c) "Supervising authority" includes a court, including a youth court, a county, or the Montana department of corrections."

12. Page 2, line 23.

Strike: "under the supervision of the department of corrections"

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Insert: "on probation or parole"

13. Page 2, line 24.

Strike: "department of corrections"

Insert: "supervising authority"

14. Page 2, lines 25 through 28.

Strike: "¿" on line 25 through "VICTIM" on line 28

15. Page 2, line 29.

Strike: "(iii)"

Insert: "(ii)"

16. Page 2, line 30.

Strike: "Subsections (5)(a)(i) and (5)(a)(ii) do"

Insert: "Subsection (5)(a)(i) does"

17. Page 3, line 1.

Following: "officer"

Insert: "of the supervising authority"

And, as amended, be concurred in. Report adopted.

SB 119, be concurred in. Report adopted.

SB 124, be concurred in. Report adopted.

SB 141, be concurred in. Report adopted.

SB 163, be concurred in. Report adopted.

SB 322, do pass. Report adopted.

SB 385, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/19/2007

HB 95, do pass. Report adopted.

HB 125, do pass. Report adopted.

HB 131, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 10.

Strike: "ALLOCATING" on line 8 through ";" on line 10

2. Title, page 1, line 15.

Strike: "LOCAL GOVERNMENT ENTITIES AND"

3. Title, page 1, line 16.

Strike: "19-3-2121,"

4. Page 2, line 3.

Strike: "0.27%"

Insert: "the following percentage"

5. Page 2, line 4.

Following: "membership"

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Insert: ": (a) beginning July 1, 2007, 0.135% ; and
(b) beginning July 1, 2009, 0.27% "

6. Page 2, line 21.

Strike: "In"

Insert: "(a) Subject to subsection (2)(b), in"

7. Page 2, line 22.

Strike: "0.27% "

Insert: "the following percentage"

8. Page 2, line 23.

Following: "membership"

Insert: ": (i) beginning July 1, 2007, 0.135% ; and

(ii) beginning July 1, 2009, 0.27% .

(b) The additional contribution under subsection (2)(a) terminates when the additional contribution under 19-3-316(3) terminates"

9. Page 4, line 1.

Strike: "received"

10. Page 4, line 2.

Strike: "on or after July 1, 2002,"

11. Page 4, line 7.

Following: ";"

Insert: "and"

12. Page 4, line 8 through line 13.

Strike: "on" on line 8 through "." on line 13

Insert: "the additional employer contribution provided in 19-3-316(3) must be allocated to the member's retirement account until the additional contribution terminates."

13. Page 4, line 8 through line 13.

Strike: "pursuant" on line 8 through "members" on line 13

14. Page 4, line 18 through page 6, line 11.

Strike: section 5 in its entirety

Renumber: subsequent sections

15. Page 11, line 4.

Strike: "0.58% "

Insert: "the following percentage"

16. Page 11, line 5.

Following: "membership"

Insert: ": (a) beginning July 1, 2007, 0.29% ; and"

(b) beginning July 1, 2007, 0.58%

17. Page 19, line 6.

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SB 359, be concurred in. Report adopted.
HJR 45, be adopted. Report adopted.

TRANSPORTATION (Sonju, Chairman):
SB 208, be concurred in. Report adopted.

3/19/2007

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House for concurrence:

3/19/2007

HB 132, introduced by Sesso
HB 140, introduced by Ingraham
HB 176, introduced by Wilmer
HB 190, introduced by Thomas

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 828, introduced by Olson, Cocchiarella, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gallik in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 31 - Senate Amendments - Representative Kottel moved Senate amendments to **HB 31** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Morgan, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 57

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Groesbeck, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 43

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 149 - Senate Amendments - Representative Jopek moved Senate amendments to **HB 149** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Heinert, Himmelberger, Mendenhall, Peterson, Sinrud.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 193 - Senate Amendments - Representative Nooney moved Senate amendments to **HB 193** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Wilson.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

HJR 20 - Senate Amendments - Representative Milburn moved Senate amendments to **HJR 20** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Everett, Jore, Koopman, Mendenhall, Ripley.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Franklin.

Total 1

HB 536 - Representative Becker moved **HB 536** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Blasdel, Dickenson, Everett, Franklin, Furey, Hands, Henry, Himmelberger, Jayne, Jore, Koopman, Kottel, Mendenhall, Milburn, Pomnichowski.

Total 15

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 701 - Representative Glaser moved **HB 701** do pass. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Gallik moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Augare, Heinert, Jacobson, Mendenhall, Rice.

Total 5

Excused: Clark.

Total 1

Absent or not voting: Hendrick, Lambert, Morgan, Sinrud, Wells.

Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 818 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 819 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 820 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips,

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Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, March 20, 2007. Motion carried.

House adjourned at 2:37 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
FIFTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 20, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Himmelberger. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Clark who was excused. Quorum present.

**A PROCLAMATION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE
OF MONTANA**

Commending Nicole Winter, a 17-year-old Missoula teenager who was treated at Shodair Children's Hospital, and whose optimism and determination helped her triumph over significant mental health challenges to return to a fruitful life with family and community.

WHEREAS, Children's Miracle Network, the international alliance of premier children's hospitals in the U.S. and abroad, spotlights the heroic battles of children like Nicole with illnesses of all kinds; and

WHEREAS, Nicole Winter will represent Montana in the Children's Miracle Network program honoring remarkable children who have met the challenges of severe medical conditions: Champions Across America presented by CO-OP Financial Services; and

WHEREAS, Nicole has been selected for her courage, tenacity, and perseverance as the sole representative of children's mental health needs, and an ambassador for the 17 million children treated each year at Children's Miracle Network children's hospitals.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA: that the congratulations of all Montanans be extended to Nicole Winter for her positive attitude in the face of a significant medical condition, and convey to her their sincere best wishes for safe travel and memorable experiences during her year as Montana's Champion.

Mike Cooney

Scott Sales

President of the Senate

Speaker of the House

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

3/19/2007

Correctly printed: **HB 95, HB 125, HJR 45, SB 119, SB 124, SB 141, SB 163, SB 168, SB 208, SB 239, SB 322, SB 359, SB 385.**

Correctly engrossed: **HB 131, SB 50.**

Correctly enrolled: **HB 132, HB 140, HB 176, HB 190.**

Examined by the sponsor and found to be correct: **HB 81, HB 87, HB 90, HB 176, HB 332, HB 531, 102, 145, HB 51, HB 449, HB 140, HB 132, HB 190.**

Signed by the Chief Clerk of the House at 1:45 p.m., March 19, 2007: **HB 13, HB 65, HB 111.**

Signed by the Speaker at 2:15 p.m., March 19, 2007: **HB 13, HB 65, HB 111.**

Signed by the President at 3:30 p.m., March 19, 2007: **HB 13, HB 62, HB 65, HB 111.**

Correctly printed: **HB 390, HB 443, HB 444, HB 569, HB 630, SB 60, SB 118, SB 445, SB 536,** 3/20/2007

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SB 286, SJR 21.

Examined by the sponsor and found to be correct: **HB 128, HB 144.**

Delivered to the Governor for approval at 9:45 a.m., March 20, 2007: **HB 13, HB 65, HB 111, HB 62.**

EDUCATION (Jore, Chairman):

3/19/2007

SB 12, be concurred in. Report adopted.

SB 16, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/20/2007

SB 131, be concurred in. Report adopted.

SB 25, be amended as follows:

1. Page 1, line 29 through page 2, line 2.

Strike: "(5)" on page 1, line 29 through "SAFETY." on page 2, line 2

2. Page 3.

Following: line 4

Insert: "(4) "Forest health concerns" means issues that can be addressed through management or harvest of merchantable or nonmerchantable trees and includes:

- (a) forested lands that are overcrowded or stagnant and that are showing declining annual growth;
- (b) wildland/urban interface areas where timber harvest or forest management is necessary to prevent catastrophic or other damage to forested lands, livestock, buildings, or other infrastructure;
- (c) fire fuel buildup and treatment on forested lands;
- (d) forested lands susceptible to imminent or repeated insect or disease attack and timber degradation;
- (e) forested lands that are in a high state of decline or decay or are rapidly deteriorating;
- (f) forested lands with high recreational use and high degradation risk; and
- (g) forested lands under drought stress."

Renumber: subsequent subsections

3. Page 4, line 4 through line 6.

Strike: "(3)" on line 4 through "VOLUME." on line 6

Insert: "(3) (a) If the department is addressing forest health concerns as provided in [section 4], the amount harvested may not be counted against the 10% maximum provided for in subsection (2) and may not be counted toward the department's annual sustained yield level.

(b) The department may not exceed 5% of the annual sustained yield when conducting contract harvesting or management activities that address forest health concerns."

Insert: "NEW SECTION. Section 4. Contract harvesting to address forest health concerns. All contract harvesting sales meant to address specific forest health concerns must be designed to:

- (1) improve the overall health, productivity, and long-term revenue potential for the timber stand;
- (2) be consistent with the state forest land management plan; and
- (3) comply with all applicable state laws, rules, and regulations."

Renumber: subsequent sections

4. Page 4, line 17.

Following: "concerns."

Insert: "The board shall evaluate each proposed contract harvest to determine if, in the board's judgment, contract harvesting will fulfill its duty to prudently obtain the maximum long-term revenue for the trust beneficiaries or to address forest health concerns or other environmental concerns."

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5. Page 5, line 19.

Strike: "5"

Insert: "6"

6. Page 6, line 1.

Strike: "5"

Insert: "6"

7. Page 6, line 6.

Following: "concerns"

Insert: "or to address forest health concerns"

8. Page 6, line 24.

Strike: "5"

Insert: "6"

9. Page 7.

Following: line 11

Insert: "COORDINATION SECTION. Section 10. Coordination instruction. If either House Bill No. 231 or Senate Bill No. 75 and [this act] are passed and approved and if they contain a section that amends 77-1-613, then the sections amending 77-1-613 are void and 77-1-613 must be amended as follows:

"77-1-613. Deduction of portion of income received from Administrative costs associated with sale of timber from state trust lands -- creation of account. (1) There is an account in the state special revenue fund called the state timber sale account. Money in the account may be appropriated by the legislature for use by the department in the manner set out in this section to enhance the revenue creditable to the trusts. There must be placed in the account an amount from timber sales on state lands each fiscal year equal to the amount appropriated from the account for the corresponding fiscal year. The department may use funds appropriated from the trust land administration account, provided for in 77-1-108, for timber sale preparation, timber sale documentation, and contract harvesting costs as provided in [section 6 of Senate Bill No. 25].

(2) Timber sale program funds deducted under subsection (1) must be directly applied to timber sale preparation and documentation.

(3)(2) In order to increase the volume of timber sold at the earliest possible time while continuing to meet the requirements of applicable state and federal laws and in order to avoid unnecessary delays and extra costs that would result from increasing its permanent staff, the department may contract for services that will enable achievement of the purposes of this section and that will achieve the highest net return to the trusts.

(4)(3) To maximize overall return to the trusts, the timely salvage of timber must be considered. However, salvage timber sales may not adversely affect the implementation of green timber sales programs conducted pursuant to 77-5-201."

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If either House Bill No. 231 or Senate Bill No. 75 and [this act] are passed and approved, then [section 6 of this act] must read as follows:

"NEW SECTION. Section 6. Contract harvesting account -- authorized expenditures -- termination. (1) An account, called the contract harvesting account, must be created as a subaccount of the trust land administration account established in 77-1-108, in which to deposit gross revenue and for the payment of expenditures associated with contract harvesting sales. All proceeds of the sale of forest products from a contract harvesting sale must be deposited into this account and must be retained in the account to be used to pay for all contract harvesting costs, as provided in subsection (2).

(2) Expenditures may be credited against the account for contract harvesting costs. Personnel services costs for state employees may not be credited against the account.

(3) An amount equal to the contract harvesting costs must be retained in the account and must be deducted from the gross proceeds to determine the net proceeds. The net proceeds from the sale of the forest products must be distributed to the appropriate trust.

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(4) An initial account balance must be created by transferring up to \$500,000 of timber harvest revenue into the contract harvesting account from the trust land administration account.

(5) If the contract harvesting program is terminated or discontinued for more than 10 years, any balance remaining in the contract harvesting account in excess of \$500,000 must be distributed to the appropriate trust. The remaining balance up to \$500,000 must be transferred back to the trust land administration account provided for in 77-1-108."

Renumber: subsequent sections

10. Page 7, line 17.

Strike: "5"

Insert: "6"

11. Page 7, line 19.

Strike: "5"

Insert: "6"

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

3/20/2007

HB 390, do pass. Report adopted.

HB 443, do pass. Report adopted.

HB 444, do pass. Report adopted.

HB 569, do pass. Report adopted.

HB 630, do pass. Report adopted.

SB 118, be concurred in. Report adopted.

HB 808, introduced bill, be amended as follows:

1. Page 14.

Strike: line 5 in its entirety

Insert: "31,714,534 30,443,397" [general fund FY08 and FY09]

"191,815,738 201,103,039" [federal special revenue FY08 and FY09]

2. Page 14, line 17.

Strike: "26,020,218 27,608,616" [general fund FY08 and FY09]

"28,047,261 29,241,493" [federal special revenue FY08 and FY09]

Insert: "27,078,454 28,817,782" [general fund FY08 and FY09]

"28,485,375 29,753,796" [federal special revenue FY08 and FY09]

3. Page 15, line 18.

Strike: "1,545,664 1,553,250" [general fund FY08 and FY09]

"4,491,239 3,978,142" [federal special revenue FY08 and FY09]

Insert: "1,545,677 1,553,263" [general fund FY08 and FY09]

"4,491,263 3,978,167" [federal special revenue FY08 and FY09]

4. Page 16.

Strike: line 1 in its entirety

Insert: "2,458,300 2,579,130" [general fund FY08 and FY09]

"900,285 906,310" [state special revenue FY08 and FY09]

"3,172,429 3,304,050" [federal special revenue FY08 and FY09]

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5. Page 16.

Strike: line 7 in its entirety

Insert: "2,668,220 2,188,801" [general fund FY08 and FY09]

"9,729,175 10,100,341" [state special revenue FY08 and FY09]

"31,353,154 31,383,769" [federal special revenue FY08 and FY09]

6. Page 16.

Strike: line 25 in its entirety

Insert: "2,132,367 2,124,367" [general fund FY08 and FY09]

"64,474 64,985" [state special revenue FY08 and FY09]

"5,138,519 5,117,927" [federal special revenue FY08 and FY09]

7. Page 17.

Strike: line 6 in its entirety

Insert: "7,243,479 7,435,464" [general fund FY08 and FY09]

"714,220 720,279" [state special revenue FY08 and YF09]

"10,664,632 10,859,596" [federal special revenue FY08 and FY09]

8. Page 17.

Strike: line 14 in its entirety

Insert: "48,574,246 49,600,369" [general fund FY08 and FY09]

"2,946,509 3,410,244" [state special revenue FY08 and FY09]

"84,946,708 87,398,170" [federal special revenue FY08 and FY09]

9. Page 18.

Strike: line 3 in its entirety

Insert: "126,178,584 135,948,454" [general fund FY08 and FY09]

"18,252,558 13,060,788" [state special revenue FY08 and FY09]

"331,637,866 348,372,424" [federal special revenue FY08 and FY09]

10. Page 18.

Strike: line 19 in its entirety

Insert: "48,730,385 48,476,373" [general fund FY08 and FY09]

"23,511,030 19,089,416" [state special revenue FY08 and FY09]

"143,412,411 140,130,743" [federal special revenue FY08 and FY09]

11. Page 19.

Strike: line 14 in its entirety

Insert: "51,417,699 56,739,343" [general fund FY08 and FY09]

"4,185,129 9,914,425" [state special revenue FY08 and FY09]

"46,383,613 46,667,894" [federal special revenue FY08 and FY09]

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

3/20/2007

SB 60, be concurred in. Report adopted.

SB 369, be amended as follows:

1. Title, line 7.

Strike: "AN IMMEDIATE"

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Insert: "A DELAYED"

2. Page 1, line 25.

Strike: "on passage and approval"

Insert: "June 30, 2009"

And, as amended, be concurred in. Report adopted.

SB 445, be concurred in. Report adopted.

SB 536, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/19/2007

SB 102, be amended as follows:

1. Page 2, line 4.

Following: "SUBDIVISIONS"

Insert: "of any other state or the United States"

2. Page 3, line 2.

Following: "SUBDIVISIONS"

Insert: "of any other state or the United States"

3. Page 3, line 23.

Following: "SUBDIVISIONS"

Insert: "of any other state or the United States"

4. Page 4, line 16.

Following: "SUBDIVISIONS"

Insert: "of any other state or the United States"

5. Page 4, line 27.

Following: "or"

Insert: "any other state or the United States"

And, as amended, be concurred in. Report adopted.

SB 175, be amended as follows:

1. Page 2, line 30.

Following: " "

Insert: "Nothing in this subsection prohibits an agency from enforcing an established policy or practice of the agency that existed prior to the proposal or adoption of the rule as long as the policy or practice is within the scope of the agency's lawful authority."

And, as amended, be concurred in. Report adopted.

SB 269, be amended as follows:

1. Page 2, line 7.

Strike: "non-Montana"

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And, as amended, be concurred in. Report adopted.

SB 286, be concurred in. Report adopted.

SJR 21, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

3/19/2007

SB 21, introduced by Larson

SB 88, introduced by Hawks

SB 237, introduced by Brueggeman

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 86, introduced by Musgrove

MESSAGES FROM THE GOVERNOR

March 20, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed:

House Bill 44 sponsored by Representative McChesney,

House Bill 72 sponsored by Representative Van Dyk,

House Bill 115 sponsored by Representative Cohenour,

House Bill 122 sponsored by Representative Keane,

House Bill 126 sponsored by Representative Keane,

House Bill 127 sponsored by Representative Keane,

House Bill 219 sponsored by Representative Ebinger,

House Bill 419 sponsored by Representative Koopman,

House Bill 431 sponsored by Representative Blasdel,

on March 20, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 829, introduced by L. Jones, Augare, Juneau, Black, referred to Natural Resources.

HB 830, introduced by Kasten, Taylor, Lange, Sinrud, Mendenhall, Ripley, Wells, Glaser, referred to

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Appropriations.

HB 831, introduced by McNutt, Pomnichowski, Cohenour, Van Dyk, Small-Eastman, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hamilton in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 86 - Senate Amendments - Representative Musgrove moved Senate amendments to **HB 86** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Hamilton.

Total 1

HB 621- Representative McGillvray moved **HB 621** do pass.

HB 621 - Representative Keane moved for cloture. Motion carried.

HB 621 - The motion to pass **HB 621** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 45 - Representative Furey moved **SB 45** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Milburn, Peterson, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 - Representative Keane moved **SB 108** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Kasten, Koopman.

Total 3

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 116 - Representative Keane moved **SB 116** be concurred in.

SB 116 - Representative Keane moved **SB 116**, second reading copy, be amended as follows:

1. Page 2, line 29.

Following: "[section 2]"

Insert: "and a valid police report, investigative report, or complaint that the consumer has filed with a law enforcement agency"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Campbell, Furey, Groesbeck.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 116 - The motion to concur in **SB 116**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 98

Noes: Koopman.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

SB 319 - Representative Mendenhall moved **SB 319** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Becker, Campbell, Erickson, Jore, Peterson, Wells.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 - Representative L. Jones moved **SB 323** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Arntzen, Becker, Clark, Gallik, Hawk, Mendenhall.

Total 6

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Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: Himmelberger.

Total 1

SB 339 - Representative Mendenhall moved **SB 339** be concurred in.

SB 339 - Representative Reinhart moved **SB 339**, second reading copy, be amended as follows:

1. Page 1, line 13.

Strike: "(1)"

2. Page 1, line 14.

Strike: "subsection (2)"

Insert: "76-2-310"

3. Page 1, line 17 through line 18.

Strike: subsection (2) in its entirety

4. Page 1, line 29 through page 2, line 4.

Strike: subsection (2) in its entirety

Insert: "(2)(a) If a municipality wishes to annex territory in a county that is different from the county in which the municipality is located, the municipality and the county shall establish a joint city-county planning board with equal representation for the proposed annexation area.

(b) The municipality and the county shall negotiate in good faith to adopt zoning and a growth policy or neighborhood plan portion of a growth policy to govern the proposed annexation area.

(c) If the municipality and the county jointly adopt zoning and a growth policy or neighborhood plan portion of a growth policy for the proposed annexation area, the municipality may annex the proposed annexation area in accordance with the adopted provisions."

Amendment adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Witte, Mr. Speaker.

Total 49

Voted Absentee: Clark, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 339 - The motion to concur in **SB 339**, as amended, carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Ankney, Bergren, Butcher, Glaser, Grinde, Heinert, Hendrick, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Koopman, Lake, McGillvray, Musgrove, Parker, Peterson, Sinrud, Sonju, Stahl, Vincent.

Total 22

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hamilton moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Callahan, Dickenson, Franklin, Furey, Hendrick, Himmelberger, Koopman, Rice, Ripley, Sinrud.

Total 10

Excused: Clark.

Total 1

Absent or not voting: Bergren.

Total 1

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 31 passed as amended by the Senate:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 33

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 149 passed as amended by the Senate:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Clark, Heinert, Mendenhall, Peterson.

Total 4

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 193 passed as amended by the Senate:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 536 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Augare, Everett, Franklin, Furey, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Jayne, Jore, Koopman, Mendenhall, Milburn, Ward.

Total 16

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 20 adopted as amended by the Senate:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Blasdel, Everett, Hawk, Jore, Koopman, Mendenhall, Morgan, Ripley, Sonju, Taylor.

Total 10

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved **HB 829** be taken from the Committee on Natural Resource and re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Kasten moved to suspend the rules on **HB 11** and it be printed and placed on second reading. The motion, requiring two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Dutton, Everett, Gallik, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 52

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 47

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Gallik moved **SB 337** be taken from the Committee on Judiciary and re-referred to the Committee on Federal Relations, Energy and Telecommunications. The motion, requiring three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Mendenhall moved **SB 339** be re-referred back to the Committee on Business and Labor. The motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, March 21, 2007. Motion carried.

House adjourned at 3:15 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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**HOUSE JOURNAL
60TH LEGISLATURE
SIXTIETH LEGISLATIVE DAY**

Helena, Montana
March 21, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Representative Wilmer introduced Rabbi Allen Secher who gave the Invocation. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Clark, Representative Parker and Representative Rice, who were excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-sixth, fifty-seventh, fifty-eighth, and fifty-ninth legislative days, find the same to be correct.

L. Jones, Chair

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 86, as amended by the Senate, passed as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Arntzen, Becker, Dickenson, Jayne, Sands.

Total 5

HB 621 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: Sands.

Total 1

SB 45 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Blasdel, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Peterson, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman.

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Total 2

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Bixby.

Total 1

SB 319 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Becker, Jore, Peterson, Wells.

Total 4

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Gallik, Hawk, Jore, Mendenhall.

Total 4

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/20/2007

Examined by the sponsor and found to be correct: **HB 70**.

Correctly engrossed: **HB 808, SB 25, SB 102, SB 175, SB 269, SB 369**.

Signed by the Speaker at 3:00 p.m., March 20, 2007: **HB 51, HB 67, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Signed by the Chief Clerk of the House at 4:00 p.m., March 20, 2007: **HB 51, HB 67, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Signed by the Chief Clerk of the House at 9:30 a.m., March 21, 2007: **HB 70**.

Signed by the Speaker at 2:30 p.m., March 21, 2007: **HB 70**.

Examined by the sponsor and found to be correct: **HB 28, HB 31, HB 75, HB 193, HB 347, HB 378, HB 662, HB 149, HB 623, HB 357, HJR 20**.

Correctly engrossed: **HB 4, HB 7, HB 114, HB 480, HB 592**.

Correctly enrolled: **HB 28, HB 31, HB 58, HB 75, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

AGRICULTURE (Butcher, Chairman):

3/21/2007

SB 328, be concurred in. Report adopted.

SB 479, be concurred in. Report adopted.

SJR 13, be concurred in. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

3/21/2007

HB 4, introduced bill, be amended as follows:

1. Page 1.

Strike: line 22 through line 23 in their entirety

2. Page 2.

Following: line 5

Insert: "Voting access for individuals with disabilities grant 2007 \$100,000 federal"

3. Page 2, line 6.

Following: "vote"

Insert: "and the voting access for individuals with disabilities grant"

4. Page 2, line 27.

Following: "for"

Insert: "the faith and community technical support grant and for the"

5. Page 3.

Following: line 15

Insert: "Montana American Indian heritage public education program 2007 \$30,000 federal"

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All remaining fiscal year 2007 federal budget amendment authority for the Montana American Indian heritage public education program is authorized to continue into federal fiscal year 2008."

6. Page 3.

Following: line 22

Insert: "Access of the cultural resource database 2007 \$10,000 federal

All remaining fiscal year 2007 federal budget amendment authority for the access of the cultural resource database is authorized to continue into state fiscal year 2008."

7. Page 3.

Following: line 28

Insert: "Trail Creek fish screen	2008 balance federal
Big Hole grayling recovery	2008 balance federal
Grayling candidate conservation	2008 balance federal
Coal bed methane fish toxicity study	2008 balance federal
Aquatic nuisance species	2008 balance federal
Westslope cutthroat trout restoration program	2008 balance federal
Hedge canal fish screens	2008 balance federal
Republican canal fish screen	2008 balance federal
Pallid sturgeon flow	2008 balance federal
Biological data on pallid sturgeon	2008 \$11,380 federal

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, fisheries division, in the 2005 legislative session for the statewide landowner outreach and assistance program and the aquatic nuisance species grant is reappropriated as federal budget amendment authority and is authorized to continue into state fiscal year 2009.

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, fisheries division, in the 2005 legislative session for the Big Hole grayling recovery grant, the westslope cutthroat trout restoration program, the Hedge canal fish screens grant, the Republican canal fish screens grant, and the pallid sturgeon flow modification study is reappropriated as federal budget amendment authority and is authorized to continue into federal fiscal year 2009."

8. Page 3, line 29 through line 30.

Strike: "the fish conservation geneticist grant and"

9. Page 4, line 6.

Following: "2007"

Insert: "and fiscal year 2008"

10. Page 4.

Following: line 7

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the fish conservation geneticist grant is authorized to continue into federal fiscal year 2009."

11. Page 4.

Following: line 8

Insert: "Grizzly bear recovery	2007 \$30,000 federal
Swift fox census	2007 \$10,000 federal
Forest legacy-06	2007 \$43,500 federal
Bear shrub field survey	2008 balance federal
Chronic wasting disease	2008 balance federal
Avian influenza monitor-1	2008 balance federal

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Wolf research	2008	balance	federal
Wetland legacy coordinate	2008	balance	federal
Forest legacy-05	2008	balance	federal
Prairie pothole venture	2008	balance	federal
Avian influenza monitor-2	2008	balance	federal
Grizzly bear recovery	2008	balance	federal
Grizzly bear management	2008	balance	federal
Grizzly bear conservation	2008	balance	federal

All remaining fiscal year 2007 federal legislative contract authority appropriated in House Bill No. 2 to the department of fish, wildlife, and parks, wildlife division, in the 2005 legislative session for the grizzly bear recovery grant, the grizzly bear management grant, and the grizzly bear conservation grant is reappropriated as federal budget amendment authority and is authorized to continue into federal fiscal year 2009."

12. Page 4, line 9.

Following: "for"

Insert: "the small manual survey grant, the sage grouse wintering area grant, the bear conflict specialist grant, the in-lieu-fee water resource mitigation program grant, and"

13. Page 4, line 12.

Following: "study"

Insert: "and the forest legacy fiscal year 06-grant"

14. Page 4, line 15.

Following: "for"

Insert: "the swift fox census, for"

15. Page 4.

Following: line 19

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the Lewis and Clark historic trail grant is authorized to continue into federal fiscal year 2007."

16. Page 4.

Following: line 23

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the North Swan River valley forest legacy project phase III grant is authorized to continue into state fiscal year 2008."

17. Page 4.

Following: line 26

Insert:	"Assistance for fish and wildlife management	2007	\$211,044	federal
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All remaining fiscal year 2007 federal budget amendment authority for the assistance for fish and wildlife management grant is authorized to continue into federal fiscal year 2009."

18. Page 5.

Following: line 6

Insert: "Department of Livestock

Disease Control Program voluntary premises registration	2007	\$251,100	federal
---------------------------------------------------------	------	-----------	---------

Foreign animal disease work in Montana 2007 \$12,300 federal

Swine health program	2007	\$6,100	federal
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All remaining fiscal year 2007 federal budget amendment authority for the voluntary premises registration grant, the foreign animal disease work in Montana grant, and the swine health program grant is authorized to continue into state fiscal year 2008."

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19. Page 5.

Following: line 8

Insert: "Community participation in national flood insurance program 2007 \$32,000 federal
Fish and wildlife service grant 2007 \$35,632 federal

All remaining fiscal year 2007 federal budget amendment authority for the community participation in national flood insurance program is authorized to continue into state fiscal year 2008."

20. Page 5, line 10.

Following: "refuge"

Insert: ", the United States fish and wildlife service grant,"

21. Page 5.

Following: line 12

Insert: "McKay Creek road and trailhead improvements 2007 \$28,980 federal
Incident command system training 2007 \$16,706 federal"

22. Page 5, line 13.

Following: "program"

Insert: ", the McKay Creek road and trailhead improvements grant, and the incident command system training grant"

23. Page 5.

Following: line 29

Insert: "Department of Agriculture

Central Management Division

National potato cyst nematode survey indirect costs 2007 \$19,659 federal

All remaining fiscal year 2007 federal budget amendment authority for the national potato cyst nematode survey indirect costs is authorized to continue into state fiscal year 2008.

Agricultural Sciences Division

National potato cyst nematode survey 2007 \$218,487 federal

All remaining fiscal year 2007 federal budget amendment authority for the national potato cyst nematode survey is authorized to continue into state fiscal year 2008."

24. Page 6.

Strike: line 14 through line 16 in their entirety

25. Page 6.

Strike: line 18 through line 20 in their entirety

26. Page 6.

Following: line 20

Insert: "All remaining fiscal year 2007 federal budget amendment authority for the implementation and purchase of software for the dumping program grant, for the new businesses to electronically register and establish an account number over the internet grant, and for the additional federal authority grant to perform the following functions: data validation, national directory of new hire updates, identity theft deterrence, internal security, document information technology for the unemployment system, buy and install software for the automation of the O'Net code system for occupations of claimants, reduce postage costs, database cross-match with workers' compensation clients, and benefit payment control enhancements is authorized to continue into state fiscal year 2008."

27. Page 6.

Following: line 21

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Insert: "Centralized Services

Star base grant 2007 \$300,000 federal

All remaining fiscal year 2007 federal budget amendment authority for the star base grant is authorized to continue into state fiscal year 2008."

28. Page 7, line 22.

Strike: "youth and young adult suicide prevention"

Insert: "integrate clinical laboratories into public health testing"

29. Page 7.

Following: line 23

Insert: "Alzheimer's demonstration grant 2008 \$290,000 federal"

And, as amended, do pass. Report adopted.

HB 7, introduced bill, be amended as follows:

1. Title, line 8.

Following: "GRANTS;"

Insert: "TRANSFERRING FUNDS;"

2. Title, line 10.

Following: "MCA"

Insert: ", AND SECTION 2, CHAPTER 473, LAWS OF 2003"

3. Page 1, line 17.

Following: "up to"

Strike: "\$1 million"

Insert: "\$800,000"

4. Page 1, line 19.

Strike: "\$4,196,500"

Insert: "\$4,496,500"

5. Page 3.

Following: line 7

Insert: "Flathead Basin Commission

(British Columbia-Montana Action Plan) \$300,000

Montana Tech of the University of Montana

(Butte Native Plant Propagation Nursery) \$289,922"

6. Page 4, line 5.

Insert: "NEW SECTION. Section 6. Fund transfer. On July 1, 2007, there is transferred from the reclamation and development grants special revenue account established in 90-2-1104 \$4.3 million to the renewable resource grant and loan program state special revenue account created in 85-1-604."

Renumber: subsequent sections

7. Page 4, line 26.

Insert: "**Section 8.** Section 2, Chapter 473, Laws of 2003, is amended to read:

"Section 2. Approved grant projects. (1) The legislature approves the grants listed in subsection (2), to

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be made in the order of priority as indicated within the following list of projects and activities. If the conditions in [sections 3 and 4] are met, funds must be awarded up to the amounts approved in this section in order of priority until available funds are expended. Funds not accepted by grantees or funds not used by higher-ranked projects and activities must be provided for projects and activities lower on the priority list that would otherwise not receive funding. Descriptions of the various projects and activities and specific conditions established for each project and activity are contained within the department of natural resources and conservation's reclamation and development grants program report to the 58th legislature for the 2005 biennium.

(2) The following are the grants program prioritized projects and activities:

Applicant/Project Grant Amount Big Horn Conservation District

(Ground Water Monitoring--Tongue & Powder River Watersheds)300,000

Sunburst, Town of (Sunburst Water Supply Renovation)185,249

Governor's Office

(Growing Carbon)300,000

Board of Oil and Gas Conservation

(Oil and Gas Plug and Abandonment)200,000

Toole County

(2003 Plugging and Abandonment)240,000

Board of Oil and Gas Conservation

(2003 Northern District Plug and Abandonment)300,000

Board of Oil and Gas Conservation

(2003 Southern District Plug and Abandonment)100,000

Department of Environmental Quality

(Washington Mine and Millsite Reclamation)300,000

Powell County*

(CMC Roundhouse Site Cleanup)76,400

~~Department of Environmental Quality~~

~~(Drumlummon Tailings, Goldsilk Mine Waste Reclamation)300,000~~

Sheridan County Conservation District

(Reclaiming Oilfield Brine Contaminated Soils)150,000

Department of Natural Resources and Conservation

(Planning Grants)50,000

Fergus County Conservation District

(Central Montana Aquifer Project)150,000

Judith Basin Conservation District

(Judith Basin Aquifer Restoration and Conservation)70,000

The project grant identified with an asterisk (*) is contingent on the transfer of the site that is 14.5 acres located south of Milwaukee avenue to Powell County without compensation to the current owner.

(3) To the entities listed in this section, this appropriation constitutes a valid obligation of these funds for purposes of encumbering the funds within the 2005 biennium pursuant to 17-7-302."

Renumber: subsequent sections

8. Page 4.

Following: line 28

Insert: "COORDINATION SECTION. **Section 10. Coordination instruction.** If House Bill No. 116 is passed and approved, then the appropriations in [section 1 of this act] are appropriated from the natural resources projects state special revenue account established in [section 28] of House Bill No. 116 and the appropriation in [section 1 of this act] for the purpose of making grants is increased by \$289,922."

Renumber: subsequent section

9. Page 4, line 29.

Following: "[Section"

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Strike: "7"

Insert: "9"

10. Page 5, line 1.

Following: "through"

Strike: "6"

Insert: "8 and 10"

And, as amended, do pass. Report adopted.

HB 114, introduced bill, be amended as follows:

1. Title, line 9 through line 11.

Strike: "CREATING" on line 9 through "MCA" on line 11

Insert: "PROVIDING AN APPROPRIATION"

2. Page 1, line 16.

Strike: "7]"

Insert: "6]"

3. Page 2, line 7.

Strike: "7]"

Insert: "6]"

4. Page 3, line 12 through line 13.

Strike: ", and" on line 12 through "authority, the" on line 13

Insert: "only, and unless inconsistent with this section, the provisions of 2-15-121 apply. The"

Strike: ". The department shall" on line 13

Insert: "and"

5. Page 3, line 24.

Strike: "7]"

Insert: "6]"

6. Page 3, line 26.

Strike: "7]"

Insert: "6]"

7. Page 4, line 8.

Strike: "7]"

Insert: "6]"

8. Page 4, line 16 through page 6, line 9.

Strike: section 7 through section 9 in their entirety

Insert: "NEW SECTION. Section 7. Appropriation. There is appropriated \$250,000 from the general fund to the department of commerce for each of the fiscal years 2008 and 2009 to meet the administrative costs of the authority created in [section 4]."

Renumber: subsequent sections

9. Page 6, line 11.

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Strike: "7]"
Insert: "6]"

10. Page 6, line 12.
Strike: "7]"
Insert: "6]"

And, as amended, do pass. Report adopted.

HB 348, do pass. Report adopted.
HB 473, do pass. Report adopted.
HB 480, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "PROVIDING FUNDING FROM THE SALES TAX AND USE TAX" on line 4
Insert: "APPROPRIATING MONEY"

2. Title, line 5 through line 8.
Strike: "PROVIDING" on line 5 through "MCA;" on line 8

3. Title, line 8.
Strike: "AND A TERMINATION DATE" on line 8

4. Page 1, line 12 through page 3, line 7.
Strike: everything after the enacting clause.
Insert: "NEW SECTION. Section 1. Appropriation. (1) The following amounts are appropriated from the general fund to the department of commerce to be awarded to the Daly mansion preservation trust:
 (a) \$50,000 in fiscal year 2008 and \$50,000 in fiscal year 2009 to be used for direct maintenance and restoration of the Daly mansion and grounds; and
 (b) \$500,000 in fiscal year 2008 to the Daly mansion preservation trust to be used as a principal account and from which spending is limited to interest earnings.
 (2) If it is determined by the personnel or officers of the Daly mansion preservation trust that the funds provided for in this section are no longer needed, the funds must be returned to the general fund."
Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2007."

And, as amended, do pass. Report adopted.

HB 540, do pass. Report adopted.
HB 592, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "GREAT FALLS"
Insert: "MONTANA"

2. Page 1, line 11.
Strike: "Great Falls"
Insert: "Montana"

And, as amended, do pass. Report adopted.

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FISH, WILDLIFE AND PARKS (Milburn, Chairman):
SB 166, be concurred in. Report adopted.

3/20/2007

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/20/2007

HB 28, introduced by Hilbert
HB 58, introduced by Keane
HB 75, introduced by McChesney
HB 347, introduced by Boggio
HB 357, introduced by Cohenour
HB 378, introduced by Windy Boy
HB 623, introduced by Olson
HB 662, introduced by Villa

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 832, introduced by Sesso, Pomnichowski, Wilmer, Jopek, McAlpin, referred to Taxation.
HB 833, introduced by Stahl, referred to Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 128, introduced by Laslovich (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.
SB 159, introduced by Harrington, referred to Transportation.
SB 189, introduced by Kitzenberg, referred to Business and Labor.
SB 204, introduced by Ryan, referred to Business and Labor.
SB 463, introduced by Kitzenberg, referred to Transportation.
SB 498, introduced by Kaufmann, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGillvray in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 808 - Representative Morgan moved **HB 808** do pass.

HB 808 - Representative Morgan moved **HB 808**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

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Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 808 - Representative Keane moved for cloture. Motion carried.

HB 808 - Motion to pass **HB 808 failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 44

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 56

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 95 - Representative Olson moved **HB 95** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

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Noes: Beck, Blasdel, Dutton, Everett, Hawk, Heinert, Jayne, Jore, Kerns, Koopman, Mendenhall, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 18

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

HB 125 - Representative Kasten moved **HB 125** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Bergren, Dutton, Everett, Hawk, Jore, Koopman, Sinrud, Stahl, Wells, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Bergren moved consideration of **HB 131** be passed for the day. Motion carried.

HJR 45 - Representative Thomas moved **HJR 45** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Augare, Blasdel, Boggio, Branae, Driscoll, Dutton, Everett, Gallik, Hawk, Heinert, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, Malcolm, McGillvray, Mendenhall, Musgrove, Ross, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.

Total 29

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Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 12 - Representative Raser moved **SB 12** be concurred in.

SB 12 - Representative Glaser moved **SB 12**, second reading copy, be amended as follows:

1. Page 20, line 28.

Insert: "NEW SECTION. Section 19. Contingent voidness. If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 12 - The motion that **SB 12**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells,

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Wilmer, Wilson, Wiseman, Witte.
Total 91

Noes: Bergren, Everett, Hawk, Jore, McGillvray, Parker, Peterson, Windy Boy, Mr. Speaker.
Total 9

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 16 - Representative Pomnichowski moved **SB 16** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Mendenhall, Nooney, Peterson, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.
Total 18

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 50 - Representative K. Peterson moved **SB 50** be concurred in.

SB 50 - Representative K. Peterson moved **SB 50**, second reading copy, be amended as follows:

1. Page 2, line 10.

Strike: "45-5-503"

Insert: "45-5-502"

2. Page 2, line 11.

Following: "'PAROLE'"

Insert: ":

(i) in the case of an adult offender,"

Following: "46-1-202"

Insert: "; and

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(ii) in the case of a juvenile offender, means supervision of a youth released from a state youth correctional facility, as defined in 41-5-103, to the supervision of the department of corrections"

3. Page 2, line 12.

Following: "MEANS"

Insert: ":

(i) in the case of an adult offender,"

Strike: "BY THE COURT"

4. Page 2, line 13.

Following: AUTHORITY

Insert: "; and

(ii) in the case of a juvenile offender, supervision of the juvenile by a youth court pursuant to Title 41, chapter 5"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Nooney, Ross.

Total 2

SB 50 - The motion that **SB 50**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

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Noes: Jayne.
Total 1

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGillvray moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Becker, Hendrick, Jacobson, Phillips, Van Dyk.
Total 5

Excused: Clark, Parker, Rice.
Total 3

Absent or not voting: Jayne, Nooney.
Total 2

SPECIAL ORDERS OF THE DAY

HB 193, introduced by Bergren, the following sponsors were added:
Senators Gebhardt, Hansen, Larson, and Squires.

MOTIONS

Majority Leader Lange moved to reconsider the actions taken on **HB 808** and that it be placed on second reading. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Representative Jacobson moved that **HB 159** be taken from the table in the Committee on State Administration and be placed on second reading on Legislative Day 61. Motion requiring three-fifths majority, **failed** as follows:

Ayes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, Morgan, Musgrove, Noonan, Olson, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Phillips, Ripley, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Representative McGillvray moved to reconsider actions taken on **HB 621** and that the bill be placed back on third reading. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Clark, Parker, Rice.

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Total 3

Absent or not voting: None.

Total 0

Representative Bergren moved **HB 2** be taken from the table in the Committee on Appropriations be printed and be placed on second reading Saturday, March 24th.. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: None.

Total 0

Majority Leader Lange moved the House stand at recess until 5:30. House recessed at 3:05.

House reconvened at 5:30. Mr. Speaker in the chair.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McGillvray in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 118 - Representative Morgan moved **SB 118** be concurred in.

SB 118 - Representative Glaser moved **SB 118**, second reading copy, be amended as follows:

1. Page 3, line 15.

Insert: "NEW SECTION. Section 5. Contingent voidness. If House Bill No. 808 is not passed and approved, then [this act] is void."

Renumber: subsequent section

Amendment adopted as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Rice, Ayes; Parker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 118 - The motion that **SB 118**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Boggio, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 70

Noes: Augare, Bergren, Bixby, Blasdel, Branae, Campbell, Dickenson, Dutton, Everett, Franklin, Grinde, Hendrick, Himmelberger, Hollenbaugh, Ingraham, Jayne, Jopek, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Sands, Sesso, Small-Eastman, Sonju, Wells, Windy Boy, Mr. Speaker.

Total 30

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 119 - Representative Cordier moved **SB 119** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 124 - Representative French moved **SB 124** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Boggio, Jore, Kasten, Koopman, Lake, McGillvray, Peterson, Sinrud, Sonju, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 131 - Representative Ross moved **SB 131** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 86

Noes: Becker, Campbell, Everett, French, Hawk, Jore, Kasten, Koopman, Lambert, Ripley, Stahl, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 141 - Representative Kottel moved **SB 141** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

SB 163 - Representative K. Peterson moved **SB 163** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 83

Noes: Barrett, Bergren, Bixby, Campbell, Dickenson, Erickson, Grinde, Groesbeck, Jacobson, Jayne, Jopek, Mendenhall, Noonan, Ripley, Sands, Windy Boy, Wiseman.

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Total 17

Voted Absentee: Clark, Parker, Rice, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McGillvray moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Bergren, Bixby, Cohenour, Dickenson, Grinde, Groesbeck, Jacobson, Jayne, Jopek, Villa, Windy Boy.

Total 11

Excused: Clark, Parker, Rice.

Total 3

Absent or not voting: Keane.

Total 1

MOTIONS

Representative Lange moved that **HB 95** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **HB 125** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **SB 131** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Lange moved that **SB 163** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

HOUSE JOURNAL
SIXTIETH LEGISLATIVE DAY - MARCH 21, 2007

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, March 22, 2007. Motion carried.

House adjourned at 6:20 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 22, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative French. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, Representative Rice and Representative Windy Boy who were excused. Quorum present.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 116, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: None.
Total 0

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.
Total 1

Absent or not voting: Beck, Jore.
Total 2

HJR 45 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.
Total 72

Noes: Beck, Blasdel, Boggio, Butcher, Driscoll, Everett, Franklin, Gallik, Hawk, Heinert, Ingraham, Jayne, Kasten, Koopman, Kottel, Malcolm, McGillvray, Musgrove, Ross, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.

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Total 26

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: Jore.

Total 1

SB 16 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 82

Noes: Beck, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Lange, Mendenhall, Peterson, Ripley, Sinrud, Sonju, Vincent, Wells, Witte.

Total 17

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

SB 119 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Hendrick, Jayne.

Total 2

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

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Total 1

Absent or not voting: None.

Total 0

SB 124 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Wiseman.

Total 85

Noes: Boggio, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Peterson, Sinrud, Sonju, Vincent, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

SB 141 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Rice, Ayes.

Excused: Windy Boy.

Total 1

Absent or not voting: None.

Total 0

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REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 3/21/2007
Correctly printed: **HB 348, HB 473, HB 540, SB 166, SB 328, SB 479, SJR 13.**
Correctly enrolled: **HB 86.** 3/21/2007
Examined by the sponsor and found to be correct: **HB 58, HB 86.**
Correctly engrossed: **HB 19, HB 278, HB 315.** 3/22/2007

APPROPRIATIONS (Sinrud, Chairman): 3/21/2007
HB 19, introduced bill, be amended as follows:

1. Title, line 13.

Following: "SECTIONS"

Insert: "17-1-508,"

2. Page 1, line 17.

Insert: "Section 1. Section 17-1-508, MCA, is amended to read:

"**17-1-508. Review of statutory appropriations.** (1) Each biennium, the office of budget and program planning shall, in development of the executive budget, review and identify instances in which statutory appropriations in current law do not appear consistent with the guidelines set forth in subsection (2).

(2) The review of statutory appropriations must determine whether a statutory appropriation meets the requirements of 17-7-502. ~~★ Except as provided in 77-1-108,~~ a statutory appropriation from a continuing and reliable source of revenue may not be used to fund administrative costs. In reviewing and establishing statutory appropriations, the legislature shall consider the following guidelines. A statutory appropriation may be considered appropriate if:

- (a) the fund or use requires an appropriation;
- (b) the money is not from a continuing, reliable, and estimable source;
- (c) the use of the appropriation or the expenditure occurrence is not predictable and reliable;
- (d) the authority does not exist elsewhere;
- (e) an alternative appropriation method is not available, practical, or effective;
- (f) other than for emergency purposes, it does not appropriate money from the state general fund;
- (g) the money is dedicated for a specific use;
- (h) the legislature wishes the activity to be funded on a continual basis; and
- (i) when feasible, an expenditure cap and sunset date are included.

(3) The office of budget and program planning shall prepare a fiscal note for each piece of legislation that proposes to create or amend a statutory appropriation. It shall, consistent with the guidelines in this section, review each of these pieces of legislation. Its findings concerning the statutory appropriation must be contained in the fiscal note accompanying that legislation."

Renumber: subsequent sections

3. Page 4, lines 23 and 24.

Following: "biennium is" on line 23

Insert: "transferred from the state general fund to an account in the state special revenue fund. The account is"

Following: "17-7-502," on line 23

Strike: remainder of line 23 through "fund" on line 24

And, as amended, do pass. Report adopted.

HB 278, introduced bill, be amended as follows:

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1. Page 1, line 15.

Following: "50-19-211"

Insert: "or a newborn screening program"

And, as amended, do pass. Report adopted.

HB 315, introduced bill, be amended as follows:

1. Title, line 4 through line 5.

Strike: "\$50 MILLION"

Insert: "A PRESCRIBED THRESHOLD"

2. Page 1, line 13.

Strike: "\$50 million"

Insert: "6% of the revenue for the audited fiscal year"

3. Page 1, line 14.

Strike: "\$50 million"

Insert: "6% of the revenue for the audited fiscal year"

And, as amended, do pass. Report adopted.

HB 343, do pass. Report adopted.

HB 395, introduced bill, be amended as follows:

3/22/2007

1. Title, line 5.

Following: "PROGRAM;"

Insert: "PROVIDING THAT STUDENT TUITION COSTS BE PAID BY THE PROGRAM; PROVIDING FOR REPAYMENT OF TUITION IN CERTAIN CIRCUMSTANCES;"

2. Page 1.

Following: line 14

Insert: "NEW SECTION. **Section 2. Repayment requirement.** (1) Prior to expending any funds to provide tuition costs for a dental student at the university of Washington school of dentistry pursuant to the regional initiative in dental education program, the board of regents shall obtain an agreement from the student whereby the student agrees to:

(a) authorize the state of Montana to pay the tuition costs incurred in the student's dental education as determined by a contract between the state of Montana and the university of Washington school of dentistry providing that education; and

(b) actively engage in professional dental practice in Montana or repay amounts expended by the state of Montana, as provided in subsection (2).

(2)(a) A dentist, upon graduating from the university of Washington school of dentistry pursuant to the regional initiative in dental education program, who does not engage in professional dental practice within the state of Montana shall repay 100% of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(b) If a dentist, upon graduation from the university of Washington school of dentistry, engages in professional dental practice in Montana in an area other than an underserved area for at least 6 years, the dentist shall repay 50% of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(c) If a dentist, upon graduation from the university of Washington school of dentistry, engages in professional dental practice in Montana in an underserved area for at least 6 years, the dentist is not required to repay

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any of the amount expended by the state of Montana for tuition costs at the university of Washington school of dentistry.

(d) Repayment of amounts expended by the state of Montana on the student's dental education, together with interest, must be made according to a repayment schedule and terms specified by the board of regents. However, interest begins to accrue if the board finds that the student has withdrawn from the university of Washington school of dentistry or is otherwise not making satisfactory progress toward completion of the degree or program. Interest charged under this section accrues at an annual interest rate equal to that charged for federal Stafford loans at the time that the interest begins to accrue, and the rate must be adjusted annually to match the federal Stafford loan rate. The interest rate may not be greater than 8%.

(e) Upon recommendation of the dean of the university of Washington school of dentistry, the board of regents may relieve a student of the obligation to repay amounts expended under this section, in whole or in part, if repayment would cause undue hardship.

(3) For the purposes of this section, the Montana board of dentistry shall identify and define an "underserved area" in Montana.

(4) Any amounts paid by dental students in accordance with the contractual arrangements authorized under this section must be deposited into a special revenue account designated as the dental school student fund, maintained and separately accounted for by the board of regents. The fund may be added to by specific contributions from other sources. The fund must be expended by the board of regents for tuition costs related to the regional initiative in dental education program."

Renumber: subsequent sections

3. Page 1, line 21.

Strike: "[Section 1] is"

Insert: "[Sections 1 and 2] are"

4. Page 1, line 22.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

5. Page 1.

Following: line 22

Insert: "NEW SECTION. Section 5. Contingent voidness. If House Bill No. 807 is not passed and approved, then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 627, do pass. Report adopted.

HB 644, do pass. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/21/2007

SB 219, be concurred in. Report adopted.

SB 295, be concurred in. Report adopted.

SB 364, be concurred in. Report adopted.

SJR 25, be concurred in. Report adopted.

HUMAN SERVICES (Stoker, Chairman):

3/22/2007

SB 95, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

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2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 3.

Following: line 20

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2007."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/22/2007

SB 51, be amended as follows:

1. Title, line 7.

Following: "THAT"

Insert: "LOCAL"

2. Title, line 8 through line 12.

Strike: "REQUIRING" on line 8 through "REGULATIONS;" on line 12

3. Title, line 14 through line 15.

Strike: "REQUIRING" on line 14 through "HAZARDS;" on line 15

4. Title, line 16.

Strike: "76-3-504,"

5. Page 4, line 16 through page 7, line 27.

Strike: section 3 in its entirety

Renumber: subsequent sections

6. Page 8, line 8 through line 22.

Strike: sections 5, 6, and 7 in their entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 178, be concurred in. Report adopted.

SB 248, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/21/2007

SB 150, be concurred in. Report adopted.

SB 378, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:3/21/2007

HB 83, introduced by Hiner

House bills concurred in and returned to the House:

3/21/2007

HB 64, introduced by Clark

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HB 92, introduced by Franklin
HB 105, introduced by Windy Boy
HB 177, introduced by Boggio
HB 207, introduced by Ingraham
HB 400, introduced by Villa
HB 521, introduced by Arntzen

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 834, introduced by Cohenour, referred to Taxation.
HB 835, introduced by Stahl, Sesso, referred to Appropriations.
HB 836, introduced by L. Jones, Lange, Black, Sesso, MacLaren, Nooney, Windy Boy, Stahl, referred to Appropriations.
HB 837, introduced by McChesney, Larson, Bales, Gallus, McChesney, Lind, referred to Appropriations.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 48, introduced by MacLaren, McGee, referred to Human Services.
HJR 49, introduced by Thomas, Windy Boy, Olson, Groesbeck, Klock, referred to Federal Relations, Energy, and Telecommunications.
HJR 50, introduced by Becker, Stahl, Arntzen, Grinde, referred to Local Government.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dutton in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 131 - Representative Sesso moved **HB 131** do pass.

HB 131 - Representative Sesso moved **HB 131**, second reading copy, be amended as follows:

1. Page 3, line 20.

Strike: "(4)"

Insert: "(5)"

2. Page 4, line 1.

Following: page 3, line 30

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3%.

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

3. Page 7, line 7.

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Strike: "(4)"

Insert: "(5)"

4. Page 7, line 23.

Following: line 22

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

5. Page 12, line 13.

Strike: "(4)"

Insert: "(5)"

6. Page 12, line 24.

Following: line 23

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

7. Page 13, line 11.

Strike: "(4)"

Insert: "(5)"

8. Page 13, line 22.

Following: line 21

Insert: "(5)(a) The applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 3% if the original payee:

(i) was hired or assumed office before July 1, 2007; or

(ii) was an existing member of a benefit plan for which the applicable percentage is 3% .

(b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007."

Renumber: subsequent subsection

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 77

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Noes: Blasdel, Boggio, Everett, Glaser, Hawk, Jacobson, Jore, Kasten, Kerns, Lake, Lambert, Mendenhall, Morgan, Peterson, Pomnichowski, Sinrud, Sonju, Taylor, Vincent, Wells, Mr. Speaker.

Total 21

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Dutton, Milburn.

Total 2

HB 131 - Representative Himmelberger moved **HB 131**, second reading copy, be amended as follows:

1. Page 11, line 16.

Strike: "2007"

Insert: "2009"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 131 - Representative Glaser moved **HB 131**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

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Noes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Voted Absentee: Clark, Rice, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Olson moved **HB 131**, second reading copy, be amended.

HB 131 - Representative Keane moved for cloture. Motion carried.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Klock, Kottel, Lambert, Musgrove, Nooney, Olson, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Clark, Dutton, Everett, Franklin, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, O'Hara, Peterson, Phillips, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 58

Voted Absentee: Windy Boy, Aye; Clark, Rice, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Ripley moved **HB 131**, second reading copy, be amended as follows:

1. Page 20, line 28.

Insert: "NEW SECTION. Section 19. Contingent voidness. If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent sections

Amendment adopted as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Clark, Rice, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Bergren moved **HB 131**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Hands, Henry, Hilbert, Hollenbaugh, Jacobson, Jopek, Klock, Kottel, Lambert, Lange, McAlpin, McNutt, Morgan, Nooney, Olson, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 49

Noes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Dickenson, Dutton, Everett, Franklin, Furey, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Koopman, Lake, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Peterson, Phillips, Rice, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Mr. Speaker.

Total 51

Voted Absentee: Windy Boy, Aye; Clark, Rice, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - The motion to pass **HB 131**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark,

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Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 76

Noes: Augare, Becker, Bergren, Caferro, Cordier, Erickson, Everett, Gallik, Glaser, Hands, Hawk, Hilbert, Hollenbaugh, Jacobson, Jore, Lambert, Morgan, Nooney, Parker, Pomnichowski, Van Dyk, Villa, Wilmer, Wilson.

Total 24

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 390 - Representative Nooney moved **HB 390** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 78

Noes: Cohenour, Dutton, Franklin, Gallik, Hands, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Musgrove, Peterson, Sinrud, Stoker, Van Dyk, Ward, Wells, Mr. Speaker.

Total 22

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 443 - Representative Taylor moved **HB 443** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 444 - Representative Taylor moved **HB 444** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Campbell, Jore, Mendenhall, Morgan, Ross, Wells, Mr. Speaker.

Total 7

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 630 - Representative Gallik moved **HB 630** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

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Noes: Everett, Hawk, Jayne.
Total 3

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Lange.
Total 1

SB 102 - Representative Ingraham moved **SB 102** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 168 - Representative Dickenson moved **SB 168** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Boggio, Everett, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Wells, Witte, Mr. Speaker.
Total 11

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 175 - Representative McNutt moved **SB 175** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 239 - Representative Hendrick moved **SB 239** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.

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Total 1

SB 322 - Representative Taylor moved **SB 322** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Bixby, Campbell, Grinde, Groesbeck, Jayne, Jopek, Keane, Noonan.

Total 8

Voted Absentee: Clark, Rice, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Dutton moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 74

Noes: Bergren, Bixby, Callahan, Cordier, Franklin, Gallik, Grinde, Hilbert, Hollenbaugh, Jacobson, Jopek, Parker, Phillips, Raser, Sesso, Van Dyk, Villa, Wilmer, Wilson.

Total 19

Excused: Clark, Rice, Windy Boy.

Total 3

Absent or not voting: Caferro, Dutton, Himmelberger, Thomas.

Total 4

MOTIONS

Majority Leader Lange moved that **SB 51** be re-referred back to the Committee on Natural Resources for the purpose

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of the amendment removal. There being no objections, so ordered.

UNFINISHED BUSINESS

SB 497, introduced by Linda Moss, the following sponsors were added:
Reps. Arntzen, Barrett, Becker, Bixby, Caferro, Campbell, Cohenour, Dickenson, Driscoll, Franklin, French, Grinde, Hands, Henry, Hiner, Ingraham, Jayne, Kottel, Lambert, Morgan, Pomnichowski, Raser, Reinhart, Rice, Sands, Small-Eastman, Taylor, Wilmer.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, March 23, 2007. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
SIXTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 23, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Arntzen. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

Signed by the President at 4:45 p.m., March 21, 2007: **HB 70**. 3/21/2007

Signed by the President at 5:00 a.m., March 21, 2007: **HB 51, HB 67, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Delivered to the Secretary of State at 1:55 p.m., March 22, 2007: **HB 51, HB 67, HB 70, HB 81, HB 87, HB 90, HB 102, HB 128, HB 132, HB 140, HB 144, HB 145, HB 176, HB 190, HB 244, HB 286, HB 332, HB 449, HB 531**.

Correctly printed: **HB 343, HB 390, HB 443, HB 444, HB 627, HB 630, HB 644, SB 102, SB 150, SB 168, SB 175, SB 178, SB 219, SB 239, SB 248, SB 295, SB 322, SB 364, SB 378**. 3/22/2007

Correctly engrossed: **HB 395, HB 131, SB 51, SB 95**.

Correctly enrolled: **HB 64, HB 92, HB 105, HB 177, HB 207, HB 400, HB 521**.

Signed by the Chief Clerk of the House at 2:00 p.m., March 22, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Signed by the Speaker at 2:30 p.m., March 22, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Signed by the President at 9:30 a.m., March 23, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662, HJR 20**.

Delivered to the Governor for approval at 11:20 a.m., March 23, 2007: **HB 28, HB 31, HB 58, HB 75, HB 86, HB 149, HB 193, HB 347, HB 357, HB 378, HB 623, HB 662**.

Delivered to the Secretary of State at 12:41 p.m., March 23, 2007: **HJR 20**.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/22/2007

SB 209, be concurred in. Report adopted.

SB 214, be amended as follows:

1. Page 5, line 17.

Strike: "39-71-417(1)(c)(v)"

Insert: "39-71-417(1)(a)(ii)"

2. Page 5, line 24.

Following: "(a)"

Strike: "A"

Insert: "(i) Except as provided in subsection (1)(a)(ii), a"

3. Page 5, following line 27.

Insert: "(ii) An officer or manager who is exempt under 39-71-401(2)(r)(iii) or (2)(r)(iv) may apply, but is not required to apply, to the department for an independent contractor exemption certificate."

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4. Page 6, line 3.

Following: "._"

Insert: "or"

5. Page 6, line 4.

Strike: "._ or"

Insert: "._"

6. Page 6, line 5.

Strike: subsection (v) in its entirety.

And, as amended, be concurred in. Report adopted.

SB 341, be concurred in. Report adopted.

SB 485, be concurred in. Report adopted.

SJR 10, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/22/2007

SB 145, be amended as follows:

1. Title, line 16.

Following: "WILDFIRE;"

Insert: "ESTABLISHING A FORMULA FOR DETERMINING ASSESSMENTS FOR FIRE PROTECTION;"

2. Page 5, line 24.

Strike: "shall"

Insert: "has the authority to"

Following: "appoint"

Insert: "state or federal employees as"

Following: "necessary"

Strike: "._"

3. Page 5, line 25.

Strike: "SUBJECT TO CONFIRMATION BY THE LOCAL COUNTY GOVERNMENT."

Insert: "for meeting department firefighting responsibilities"

4. Page 5, line 26.

Following: "7]."

Insert: "Local county governments shall retain sole authority for designation and appointment of county fire chiefs or firewardens."

5. Page 8, line 16.

Following: "waste."

Insert: "(1)"

6. Page 8, line 18.

Following: "areas"

Insert: "within the forest areas"

7. Page 8, following line 25.

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Insert: "(2) A sawmill located within or contiguous to forest lands may not accumulate in one pile sawdust in excess of an amount resulting from the sawing of 500,000 feet log scale of sawlogs. However, a larger sawdust pile may be accumulated when there is no reasonable danger of fire from the sawdust pile and a permit for the additional accumulation is granted by the department. If burning is the disposal method elected, each sawdust pile must be prepared for burning by cribbing the base of each pile with slabs and burned in accordance with rules adopted by the department."

8. Page 9, line 16.

Strike: "\$30"

Insert: "\$45"

9. Page 9, line 17.

Strike: the first "20"

Insert: "25"

10. Page 13, following line 10.

Insert: "NEW SECTION. **Section 29. Formula to set landowner assessments for fire protection.** (1) The department shall, pursuant to 76-13-207, set the annual fire assessment fee due from landowners pursuant to Title 76, chapter 13, parts 1 and 2. The total of all statewide landowner assessments may be no greater than one-third of the amount appropriated by the legislature to fund the protection costs.

(2) The individual assessments must be established using the following criteria:

(a) Each person or corporation who is responsible for fire protection pursuant to 76-13-108 and 76-13-201 and for whom the department provides fire protection must be assessed a per capita landowner fee. The total per capita landowner assessments statewide from persons or corporations who own 20 acres or less of land for which the department provides protection must be as close as administratively possible to 60% of the total private landowner assessments.

(b) A person or corporation who owns more than 20 acres of land for which the department provides protection shall, in addition to the fee assessed pursuant to subsection (2)(a), pay a per-acre fee for each whole acre that the person owns in excess of 20 acres. The total of all assessments statewide from persons or corporations that own more than 20 acres must be as close as administratively possible to 40% of the total private landowner assessments.

(3) (a) Except as provided in subsection (3)(b), the per capita and per-acre fees must remain in effect for subsequent years.

(b) The department shall reset the per capita and per-acre fees whenever it is necessary to obtain up to one-third of the amount appropriated by the legislature.

(c) Whenever the department resets the fees pursuant to subsection (3)(b), it shall do so in accordance with 76-13-201(2)."

Renumber: subsequent sections

11. Page 13, line 18.

Strike: "Section"

Insert: "Sections"

Following: "16"

Insert: " and 29"

Strike: "is"

Insert: "are"

12. Page 13, line 19.

Strike: "section"

Insert: "sections"

Following: "16"

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Insert: "and 29"

13. Page 14, following line 16.

Insert: "COORDINATION SECTION. Section 34. Coordination instruction. If Senate Bill No. 51 and [this act] are passed and approved and [this act] repeals 76-13-109, then the section in [this act] amending 76-13-104 is void and 76-13-104 must be amended as follows:

"76-13-104. Functions of department -- rulemaking. (1) The department has the duty to ensure the protection of land under state and private ownership and to suppress wildfires on land under state and private ownership. No fees may be collected for this purpose except fees provided for in 76-13-201.

(2) (a) The department shall adopt rules to protect the natural resources of the state, especially the natural resources owned by the state, from destruction by fire and for that purpose, in declared emergencies, may employ personnel and incur other expenses when necessary.

(b) The department may adopt and enforce reasonable rules for the purpose of enforcing and accomplishing the provisions and purposes of part 2 and this part.

(3) The duty imposed on the department under this section is not exclusive to the department and does not absolve private property owners or local governmental fire agencies organized under Title 7, chapter 33, from any fire protection or suppression responsibilities.

(4) The department may give technical and practical advice concerning forest, range, water, and soil conservation and the establishment and maintenance of woodlots, windbreaks, shelterbelts, and forest fire protection.

(2)(5) The department shall cooperate with all public and other agencies in the development, protection, and conservation of the forest, range, and water resources in this state.

(6) The department shall establish and maintain wildland fire control training programs.

(3) The department shall require an owner or operator to provide a notification prior to conducting forest practices as provided in 76-13-131, shall adapt as necessary any procedure used for notification with respect to an agreement under 76-13-408 to ensure that the operator provides information on the location of the forest practices in relation to watershed features, and shall conduct onsite consultations as provided for in 76-13-132.

(7) The department shall appoint firewardens in the number and localities that it considers necessary, subject to confirmation by the local county government, and shall adopt rules prescribing the qualifications and duties of firewardens that are in addition to those provided in [section 7 of Senate Bill No. 145].

(8) By October 1, 2008, the department shall adopt rules addressing development within the wildland-urban interface, including but not limited to:

(a) best practices for development within the wildland-urban interface; and

(b) criteria for providing grant and loan assistance to local government entities to encourage adoption of best practices for development within the wildland-urban interface."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

3/23/2007

SB 77, be concurred in. Report adopted.

SB 314, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/23/2007

HB 824, introduced bill, be amended as follows:

1. Title, line 4.

Following: "EXEMPTING"

Insert: "A CERTAIN AMOUNT OF"

Strike: "OR"

Insert: "AND"

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2. Page 2, line 22.

Following: "(A)"

Insert: "the first \$15,000 of"

Strike: "or"

Insert: "and other military"

3. Page 2, line 25.

Following: "(B)"

Insert: "the first \$15,000 of"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

3/23/2007

HB 808, introduced bill, be amended as follows:

1. Page 14, line 4.

Strike: "1,396,131 1,400,969" [state special revenue FY08 and FY09]

Insert: "1,296,148 1,296,426" [state special revenue FY08 and FY09]

2. Page 14.

Strike: line 6 in its entirety

Insert: "27,571,098 27,618,115" [general fund FY08 and FY09]

"185,131,982 196,985,099" [federal special revenue FY08 and FY09]

3. Page 14, line 18.

Strike: "2,393,118 2,393,119" [state special revenue FY08 and FY09]

Insert: "2,126,331 2,126,332" [state special revenue FY08 and FY09]

4. Page 14.

Strike: line 19 in its entirety

Insert: "22,944,738 24,000,616" [general fund FY08 and FY09]

"29,270,349 30,177,629" [federal special revenue FY08 and FY09]

5. Page 15, line 14.

Strike: "2,876,136 2,681,679" [general fund FY08 and FY09]

"6,792,940 6,201,063" [federal special revenue FY08 and FY09]

Insert: "2,726,136 2,731,679" [general fund FY08 and FY09]

"6,242,940 6,251,063" [federal special revenue FY08 and FY09]

6. Page 15, line 20.

Strike: "1,602,945 1,606,036" [state special revenue FY08 and FY09]

Insert: "1,702,663 1,708,818" [state special revenue FY08 and FY09]

7. Page 15, line 21.

Strike: "1,545,677 1,553,263" [general fund FY08 and FY09]

"4,491,263 3,978,167" [federal special revenue FY08 and FY09]

Insert: "0 0" [general fund FY08 and FY09]

"6,112,004 6,132,731" [federal special revenue FY08 and FY09]

8. Page 15, line 25.

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Strike: "1,620,765 2,154,589" [general fund FY08 and FY09]

Insert: "1,258,921 1,263,443" [general fund FY08 and FY09]

9. Page 16.

Strike: line 5 in its entirety

Insert: "2,735,149 2,577,985" [general fund FY08 and FY09]

"907,864 906,007" [state special revenue FY08 and FY09]

"3,388,931 3,302,130" [federal special revenue FY08 and FY09]

10. Page 16.

Strike: line 12 in its entirety

Insert: "1,890,101 1,893,724" [general fund FY08 and FY09]

"7,479,021 7,350,190" [state special revenue FY08 and FY09]

"29,706,090 29,735,600" [federal special revenue FY08 and FY09]

11. Page 17.

Strike: line 4 in its entirety

Insert: "2,097,140 2,089,133" [general fund FY08 and FY09]

"99,474 99,985" [state special revenue FY08 and FY09]

"5,137,164 5,116,529" [federal special revenue FY08 and FY09]

12. Page 17.

Strike: line 13 in its entirety

Insert: "7,299,947 7,378,252" [general fund FY08 and FY09]

"714,220 720,260" [state special revenue FY08 and FY09]

"10,721,453 10,802,365" [federal special revenue FY08 and FY09]

13. Page 17.

Strike: line 22 in its entirety

Insert: "44,790,709 44,892,549" [general fund FY08 and FY09]

"163,261 1,224,221" [state special revenue FY08 and FY09]

"75,922,210 75,909,709" [federal special revenue FY08 and FY09]

14. Page 18.

Strike: line 12 in its entirety

Insert: "122,566,064 133,889,043" [general fund FY08 and FY09]

"8,671,035 4,316,885" [state special revenue FY08 and FY09]

"308,498,123 323,301,601" [federal special revenue FY08 and FY09]

15. Page 19.

Strike: line 2 in its entirety

Insert: "45,265,295 45,241,838" [general fund FY08 and FY09]

"21,741,688 20,161,985" [state special revenue FY08 and FY09]

"139,303,678 135,302,358" [federal special revenue FY08 and FY09]

16. Page 19.

Strike: line 25 in its entirety

Insert: "45,350,396 47,509,052" [general fund FY08 and FY09]

"6,595,846 6,320,124" [state special revenue FY08 and FY09]

"41,831,565 42,692,354" [federal special revenue FY08 and FY09]

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And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/22/2007

HB 120, introduced by Henry

HB 409, introduced by Sinrud

HB 633, introduced by Dutton

House bills concurred in and returned to the House:

3/22/2007

HB 22, introduced by McAlpin

HB 503, introduced by Gallik

HB 555, introduced by Grinde

HB 703, introduced by Ripley

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 838, introduced by French, Cohenour, Erickson, referred to Taxation.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House resumed at 1:25 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 369 - Representative L. Jones moved **SB 369** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 385 - Representative French moved **SB 385** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Hawk, Jayne.
Total 2

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 21 - Representative Hendrick moved **SJR 21** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

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Absent or not voting: Lange.
Total 1

HB 315 - Representative Koopman moved **HB 315** do pass.

HB 315 - Representative Gallik moved **HB 315**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Keane, Kottel, McChesney, Musgrove, Noonan, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 38

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Dickenson, Dutton, Everett, Franklin, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.
Total 62

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 315 - The motion to pass **HB 315 failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 343 - Representative Lange moved consideration of **HB 343** be passed for the day. Motion carried.

HB 473 - Representative Ross moved **HB 473** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Franklin.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

HB 4 - Representative Musgrove moved **HB 4** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Everett, Jore, Koopman, Mendenhall, Peterson, Mr. Speaker.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

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HB 7 - Representative Kasten moved **HB 7** do pass.

HB 7 - Representative Windy Boy moved **HB 7**, second reading copy, be amended as follows:

1. Page 2, line 29.

Strike: "\$150,000"

Insert: "\$300,000"

2. Page 3, line 4.

Strike: "\$300,000"

Insert: "\$150,000"

Amendment adopted as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: L. Jones.

Total 1

HB 7 - The motion to pass **HB 7**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 19 - Representative McNutt moved **HB 19** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

HB 114 - Representative Olson moved **HB 114** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Witte.

Total 65

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jopek, Jore, Koopman, McAlpin, Noonan, Parker, Pomnichowski, Raser, Reinhart, Van Dyk, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 34

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

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Absent or not voting: Ripley.
Total 1

HB 278 - Representative Stoker moved consideration of **HB 278** be passed for the day. Motion carried.

HB 348 - Representative Keane moved **HB 348** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Becker, Everett, Hawk, Ingraham, Jore, Koopman.
Total 6

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 395 - Representative W. Jones moved **HB 395** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Everett, Hawk, Jore, Koopman, Mendenhall.
Total 5

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Thomas.
Total 1

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HB 480 - Representative Lake moved **HB 480** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Windy Boy, Witte, Mr. Speaker.
Total 72

Noes: Augare, Barrett, Becker, Callahan, Campbell, Driscoll, Dutton, Everett, Hands, Henry, Jayne, Jore, Kasten, Kerns, Koopman, McAlpin, McGillvray, Mendenhall, Reinhart, Ripley, Van Dyk, Wells, Wilmer, Wiseman.
Total 24

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jopek, Lange, Phillips, Wilson.
Total 4

HB 540 - Representative Groesbeck moved **HB 540** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Windy Boy, Wiseman, Witte.
Total 89

Noes: Everett, Jore, Kasten, Koopman, McGillvray, Mendenhall, Peterson, Wells, Mr. Speaker.
Total 9

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Hands, Wilson.
Total 2

HB 315 - Representative MacLaren moved reconsideration of **HB 315** and that it be placed at the top of the second reading board. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson,

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Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 315 - Representative Koopman moved **HB 315** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 592 - Representative Wilson moved **HB 592** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 98

Noes: Erickson, McGillvray.

Total 2

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 627 - Representative Hilbert moved **HB 627** do pass.

HB 627 - Representative Hilbert moved **HB 627**, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "appropriated"

Insert: "to the department of transportation"

2. Page 1, line 16.

Strike: "fiscal years 2008 and 2009"

Insert: "the 2009 biennium"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte.

Total 84

Noes: Augare, Campbell, Dutton, Grinde, Hands, Jopek, Kerns, McAlpin, Morgan, Phillips, Sinrud, Stoker, Van Dyk, Wilmer, Mr. Speaker.

Total 15

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jayne.

Total 1

HB 627 - The motion to pass **HB 627**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Branae, Butcher, Caferro, Clark, Cohenour, Ebinger, Erickson,

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Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Kasten, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wilson, Windy Boy.

Total 55

Noes: Augare, Becker, Bergren, Bixby, Boggio, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Franklin, Furey, Gallik, Grinde, Hands, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Koopman, Kottel, McAlpin, McGillvray, Mendenhall, Milburn, Morgan, Musgrove, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Sands, Van Dyk, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 43

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Himmelberger, Sinrud.

Total 2

Representative Sonju moved the committee rise, report progress and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Driscoll, Dutton, Everett, Franklin, French, Glaser, Groesbeck, Hands, Hawk, Hendrick, Henry, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 69

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Furey, Gallik, Grinde, Heinert, Hollenbaugh, Jacobson, Jayne, Keane, Parker, Phillips, Raser, Sesso, Sinrud, Villa, Wiseman.

Total 25

Excused: Clark.

Total 1

Absent or not voting: Branae, Hamilton, Hilbert, Himmelberger, Musgrove.

Total 5

THIRD READING OF BILLS

The following bills having been read through several times, title and history agreed to, were disposed of in the following manner:

HB 390 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy.

Total 77

Noes: Cohenour, Dutton, Gallik, Hands, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Musgrove, Peterson, Stoker, Van Dyk, Wells, Wiseman, Witte, Mr. Speaker.

Total 21

Excused: Clark.

Total 1

Absent or not voting: Hendrick.

Total 1

HB 443 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 95

Noes: Campbell, Jore, Windy Boy, Mr. Speaker.

Total 4

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 444 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

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Noes: Barrett, Bixby, Jore, Koopman, Mendenhall, Ripley, Ross, Wells, Mr. Speaker.
Total 9

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 630 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Everett, Hawk, Jayne.
Total 3

Excused: Clark.
Total 1

Absent or not voting: Hollenbaugh.
Total 1

SB 12 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Hawk, Jore, McGillvray, Peterson.
Total 4

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

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SB 50 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne.

Total 1

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 102 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 118 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 80

Noes: Augare, Bergren, Blasdel, Everett, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Rice, Sinrud, Sonju, Wells, Mr. Speaker.

Total 19

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 168 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Boggio, Dutton, Everett, Jore, Kasten, Koopman, Lambert, Mendenhall, Milburn, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Excused: Clark.

Total 1

Absent or not voting: O'Hara.

Total 1

SB 175 concurred in as amended, as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

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Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SB 239 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SB 322 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Bixby, Campbell, Groesbeck, Jayne, Jopek, Keane.
Total 6

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

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HB 773, introduced by MacLaren, the following sponsors were added:
Senator J. Tropila.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Butcher, Chairman):
SB 544, be amended as follows:

3/23/2007

1. Page 1, line 16.
Following: "Montana"
Insert: "following naturally raised protocols"

And, as amended, be concurred in. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):
HB 69, introduced bill, be amended as follows:

3/23/2007

1. Page 1, line 20.
Strike: "2007"
Insert: "2008"
2. Page 3, line 26 through line 27.
Strike: "made" on page 3, line 26 through "use and" on page 3, line 27
3. Page 3, line 27.
Following: "mortgage"
Insert: ", "
Strike: "or"
Following: "trust"
Insert: ", or trust indenture"
4. Page 4, line 3.
Following: "state"
Insert: "that is"
5. Page 4, line 4.
Following: "four-family dwelling"
Insert: "or a manufactured home, as defined by 24 CFR 3280, either of which is intended to be the borrower's primary residence"
6. Page 4, line 29.
Following: "(2)"
Insert: "(a)"
7. Page 5, line 2.
Following: "by"
Strike: "fingerprints,"
Insert: "an examination of"

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8. Page 5, line 3.

Following: "character,"

Strike: "and"

Following: "fitness"

Insert: ", and criminal records"

9. Page 5, line 5.

Insert: "(b)(i) As a prerequisite to the issuance of a license, the department shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation.

(ii) The applicant shall sign a release of information to the department and is responsible to the department of justice for the payment of all fees associated with the criminal background check.

(iii) Upon completion of the criminal background check, the department of justice shall forward all criminal justice information, as defined in 44-5-103, concerning the applicant that involves the conviction of a criminal offense in any jurisdiction to the department, as authorized in 44-5-303.

(iv) At the conclusion of any background check required by this section, the department must receive the criminal background check report but may not receive the fingerprint card of the applicant. Upon receipt of the criminal background check report, the department of justice shall promptly destroy the fingerprint card of the applicant."

10. Page 5, following line 8.

Insert: "(5) A mortgage broker and its branches licensed under Title 32, chapter 9, is exempt from licensing fees under [sections 1 through 32]. A licensed mortgage broker that engages in mortgage lending shall comply with the provisions of [sections 1 through 32]."

11. Page 7, following line 17.

Insert: "(8) A person is exempt who is licensed under Title 32, chapter 9, if the person is engaged solely in the business of mortgage brokering and does not advance funds, offer to advance funds, or commit to advancing funds.

(9) A person is exempt who is a retail seller, as defined in 31-1-102, if the person complies with the provisions of Title 31, chapter 1, part 2.

(10) A person is exempt who sells the person's own real property."

12. Page 9, line 18.

Following: "department."

Insert: "The department may accept the audit of a parent company of the licensee in lieu of an audit of the licensee if the department determines that the parent company's audit is sufficient for the department's purposes."

13. Page 19, line 18.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of [sections 1 through 32]."

14. Page 20, line 7.

Following: "County"

Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

And, as amended, do pass. Report adopted.

HB 141, introduced bill, be amended as follows:

1. Page 5, line 13.

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Following: "chapter"

Insert: ", not to exceed \$5,000 for each administrative action,"

2. Page 15, line 8.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of this chapter."

3. Page 16, line 1.

Following: "County"

Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

4. Page 16, line 4 through line 5.

Strike: "If" on line 4 through "costs." on line 5

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

3/23/2007

SB 289, be amended as follows:

1. Page 1, line 25.

Following: "medication"

Insert: ", as prescribed,"

2. Page 1, line 29.

Following: "medication"

Insert: ", as prescribed"

3. Page 2, line 5.

Strike: "administered"

Insert: ", as prescribed"

4. Page 2, line 11.

Following: "use"

Insert: ", as prescribed,"

5. Page 2, line 27.

Following: "medication"

Insert: ", as prescribed"

6. Page 3, line 7.

Strike: "immediate"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman):

3/23/2007

SB 164, be concurred in. Report adopted.

SB 170, be concurred in. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

3/23/2007

SB 203, be concurred in. Report adopted.

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SB 245, be concurred in. Report adopted.
SB 261, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):
SB 160, be concurred in. Report adopted.

3/23/2007

MOTIONS

Representative Lange moved **HB 808** be re-referred to the Committee on Appropriations. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

Representative French moved **HB 179** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

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Representative Villa moved **HB 331** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Everett moved **HB 659** be taken from the table in the Committee on Federal Relations, Energy and Telecommunications, be printed and placed on second reading on the 63rd Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Butcher, Caferro, Cohenour, Dutton, Everett, Franklin, Furey, Gallik, Groesbeck, Hands, Hawk, Hendrick, Hilbert, Ingraham, Jacobson, Jayne, Jopek, Jore, Kasten, Koopman, Lange, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Phillips, Reinhart, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Noes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Glaser, Grinde, Hamilton, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange announced the House would stand at recess until 5:30 p.m.

House resumed at 5:30 p.m. Mr. Speaker in the chair. Representative Ward was excused.

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for the purpose of doing business on second reading. Motion carried. Representative Hollenbaugh in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 359 - Representative Olson moved **SB 359** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy.
Total 86

Noes: Everett, Hawk, Jore, Kerns, Koopman, Lake, McGillvray, Sinrud, Van Dyk, Wiseman, Witte.
Total 11

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Hiner, Ripley, Mr. Speaker.
Total 3

HB 644 - Representative Sonju moved **HB 644** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 93

Noes: Augare, Bixby, Caferro, Cohenour, Jopek, Vincent, Wiseman.
Total 7

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 559 - Representative Rice moved **HB 559** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Franklin, Gallik, Hands, Hilbert, Jopek, Jore, Koopman, Musgrove, Mr. Speaker.

Total 9

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 824 - Representative Ingraham moved **HB 824** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Ebinger, French, Furey, Glaser, Groesbeck, Hawk, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McNutt, Morgan, Noonan, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Witte.

Total 61

Noes: Becker, Bixby, Branae, Butcher, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, Gallik, Grinde, Hamilton, Hands, Heinert, Henry, Himmelberger, Jayne, Kasten, Koopman, Malcolm, McAlpin, McGillvray, Mendenhall, Musgrove, Nooney, O'Hara, Peterson, Phillips, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 38

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Milburn.

Total 1

HB 120 - Senate Amendments - Representative Henry moved Senate amendments to **HB 120** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso,

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Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Barrett, Beck, Boggio, Everett, Grinde, Hawk, Hilbert, Himmelberger, Hiner, Jore, Kasten, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Milburn, Morgan, Rice, Ripley, Sinrud, Small-Eastman, Sonju, Stahl, Wells, Witte, Mr. Speaker.
Total 28

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 124 - Senate Amendments - Representative French moved Senate amendments to **HB 124** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Mendenhall, Nooney, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.
Total 15

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

HB 409 - Senate Amendments - Representative Sinrud moved Senate amendments to **HB 409** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa,

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Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Bixby, Boggio, Dickenson, Sonju, Vincent, Wilson.
Total 6

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 178 - Representative Lange moved consideration of **SB 178** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 208 - Representative Kottel moved **SB 208** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Barrett, Boggio, Groesbeck, Hawk, Hendrick, Jayne, Jopek, Jore, Kasten, Keane, Koopman, Lake, McGillvray, McNutt, Mendenhall, Ripley, Van Dyk, Vincent, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Clark, Ward, Ayes.

Excused: None.
Total 0

Absent or not voting: Stoker.
Total 1

SB 269 - Representative Ingraham moved **SB 269** as amended, be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 99

Noes: Jayne.

Total 1

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 178 - Representative Parker moved **SB 178** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Butcher, Hawk.

Total 2

Voted Absentee: Clark, Ward, Ayes.

Excused: None.

Total 0

Absent or not voting: Ebinger.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Mendenhall, O'Hara, Sinrud.

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Total 3

Excused: Clark, Ward.

Total 2

Absent or not voting: Stahl.

Total 1

MOTIONS

Majority Leader Lange moved that **SB 359** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 824** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Saturday, March 24, 2007. Motion carried.

House adjourned at 6:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 24, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 3/23/2007
Correctly printed: **HB 569, HB 644, HB 824, SB 178, SB 208, SB 269, SB 359.**

Correctly printed: **HB 4, HB 19, HB 114, HB 315, HB 348, HB 395, HB 473, HB 480, HB 540, HB 592, SB 369, SB 385, SB 164, SB 170, SB 203, SB 209, SB 245, SB 261, SB 485, SB 341, SJR 10, SJR 21.**

APPROPRIATIONS (Sinrud, Chairman): 3/24/2007
HB 6, introduced bill, be amended as follows:

1. Title, line 8.

Following: "GRANTS;"

Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE RENEWABLE RESOURCE STATE SPECIAL REVENUE ACCOUNT;"

2. Page 1, line 25.

Following: "conservation"

Strike: "\$5"

Insert: "\$5.5"

3. Page 2, line 10.

Strike: "\$70,599"

Insert: "\$70,559"

4. Page 4, line 26.

Strike: "\$60,000"

Insert: "\$59,991"

5. Page 7.

Following: line 2

Insert: "Sunset Irrigation District

(Gravity Flow Group Irrigation Pipelines) \$100,000"

6. Page 8, line 22.

Insert: "NEW SECTION. Section 6. Fund transfer. At the beginning of fiscal year 2009, the amount of \$500,000 is transferred from the state general fund to the renewable resource grant and loan program state special revenue account established in 85-1-604."

Renumber: subsequent sections

7. Page 9.

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Following: line 26

Insert: "COORDINATION SECTION. **Section 11. Coordination instruction.** If House Bill No. 116 is passed and approved, then the appropriations in [section 1 of this act] are appropriated from the natural resources projects state special revenue account established in [section 28] of House Bill No. 116 and the appropriation in [section 1 of this act] for the purpose of making grants to political subdivisions and local governments is increased by up to \$2.2 million."

Insert: "NEW SECTION. **Section 12. Contingent voidness.** If House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 818, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 160, introduced bill, be amended as follows:

1. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 12.

Strike: "\$937,897.07"

Insert: "\$822,774.07"

3. Page 1, line 13.

Following: "amount of"

Insert: "distributable"

4. Page 1, line 14.

Following: "lands."

Insert: "(b) There is transferred \$115,123.49 from the general fund to the Morrill Act permanent trust fund for the purpose of repaying the Morrill Act trust fund the amount of permanent fund money plus interest that has been diverted for administrative costs on Morrill Act trust lands."

5. Page 1, line 15.

Following: "appropriated"

Insert: "from the general fund"

6. Page 1, line 16.

Following: "the amount of"

Insert: "distributable"

7. Page 1, line 23.

Strike: "\$741.58"

Insert: "\$10.40"

8. Page 1, line 24.

Strike: "\$8,460.43"

Insert: "\$19.24"

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9. Page 1.

Following: line 24

Insert: "Common Schools Guarantee Account	\$206,316.75
Capitol Buildings	\$29,149.38"

10. Page 1, line 25.

Following: "transferred"

Insert: "from the general fund"

11. Page 1, line 26.

Following: "amount of"

Insert: "permanent fund"

12. Page 1, line 29.

Strike: "\$216,642.16"

Insert: "\$10,038.28"

13. Page 1, line 30.

Strike: line 30

Insert: "State Reform School Trust Fund	\$8,441.19
The trust established for the support of the School for the Deaf and Blind	\$731.18"

14. Page 2, line 1.

Following: "(4)"

Insert: "(a) There is appropriated \$235,747.10 from the general fund to the common schools guarantee account for the purpose of repaying the common schools the amount of distributable money that was diverted to allow the department of natural resources and conservation to fully fund the trust land administration account provided for in 77-1-108 to pay administrative costs that were allocated to the capitol building trust, the state reform school trust, and the Montana tech of the university of Montana trust.
(b)"

Strike: "\$240,655.65"

Insert: "\$4,764.55"

15. Page 2, line 2.

Following: "the amount of"

Insert: "permanent fund"

And, as amended, do pass. Report adopted.

HB 222, introduced bill, be amended as follows:

1. Title, line 6.

Following: "MONTANA;"

Insert: "REQUIRING A REPORT;"

2. Page 1, line 22.

Following: "Appropriation"

Insert: "-- report"

Following: "."

Insert: "(1)"

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3. Page 1, line 23.

Following: "\$200,000"

Insert: "only"

Following: "2007,"

Insert: "and only "

4. Page 1.

Following: line 27

Insert: "(2) The purchase of contracted services from the appropriation in this section must conform to the state procurement law in Title 18, chapter 4.

(3) The department shall provide a written report of the economic analysis to the legislative finance committee prior to October 1, 2008."

And, as amended, do pass. Report adopted.

HB 368, introduced bill, be amended as follows:

1. Page 1, line 30.

Strike: "\$250,000"

Insert: "\$265,000"

2. Page 2, line 3.

Strike: "\$85,000"

Insert: "\$70,000"

Following: "society"

Insert: "for the 2009 biennium"

3. Page 2.

Following: line 5

Insert: "(3) Purchase of services or equipment from the appropriation in this section must conform to state procurement law in Title 18, chapter 4."

4. Page 2.

Following: line 5

Insert: "NEW SECTION. **Section 2. Contingent voidness.** If House Bill No. 818 is not passed and approved, then [this act] is void."

And, as amended, do pass. Report adopted.

HB 519, do pass. Report adopted.

HB 677, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/23/2007

HB 91, introduced by Clark

HB 98, introduced by Franklin

HB 118, introduced by Henry

HB 397, introduced by Ward

HB 596, introduced by Sands

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HB 717, introduced by Stahl
HB 724, introduced by Furey
HB 795, introduced by Hands

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/24/2007

HB 117, introduced by Henry
HB 361, introduced by Kottel
HB 496, introduced by French
HB 759, introduced by Hendrick

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 839, introduced by Caferro, Wiseman, referred to Appropriations.
HB 840, introduced by Hilbert, referred to Transportation.

The following Senate bill was introduced, read first time, and referred to committee:

SB 264, introduced by Kaufmann, Wanzenried, referred to Local Government.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 51, introduced by Becker, Williams, Pomnichowski, Cocchiarella, Gillan, Schmidt, Cohenour, Sands, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Barrett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 278 - Representative Stoker moved **HB 278** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 94

Noes: Jore, Koopman, Mendenhall, Windy Boy, Mr. Speaker.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

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Total 0

Absent or not voting: Sands.

Total 1

SB 25 - Representative McNutt moved **SB 25** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Erickson, Jayne, Jore, Kerns, Koopman.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 60 - Representative L. Jones moved **SB 60** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Jore, Kasten, Kerns, Koopman, Mendenhall, Sonju, Wells, Witte, Mr. Speaker.

Total 9

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 95 - Representative Becker moved **SB 95** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 166 - Representative McNutt moved **SB 166** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Branae, Campbell, Clark, Cordier, Dickenson, Ebinger, Everett, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Noonan, Nooney, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 66

Noes: Becker, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Cohenour, Driscoll, Dutton, Erickson, Franklin, French, Gallik, Grinde, Hamilton, Hands, Himmelberger, Jayne, Jore, Kasten, Kerns, McGillvray, Mendenhall, Morgan, Musgrove, O'Hara, Phillips, Ripley, Small-Eastman, Van Dyk, Ward, Windy Boy, Wiseman.

Total 34

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 248 - Representative McNutt moved consideration of **SB 248** be placed at the top of the second reading board. Motion carried.

SB 328 - Representative L. Jones moved **SB 328** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 88

Noes: Boggio, Heinert, Hendrick, Jore, Kasten, Koopman, Sinrud, Sonju, Stoker, Wells, Mr. Speaker.

Total 11

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

SB 445 - Representative Thomas moved **SB 445** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Campbell, Everett, Hawk, Jore, Kerns, Koopman, Lake, Ripley, Stoker, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

SB 479 - Representative Augare moved **SB 479** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin,

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McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Beck, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Jayne, Jore, Kasten, Koopman, Lake, Mendenhall, Nooney, Rice, Ripley, Sinrud, Sonju, Stoker, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 808 - Representative Morgan moved **HB 808** do pass.

HB 808 - Representative Keane moved for cloture. Motion carried.

HB 808 - The motion to pass **HB 808** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Barrett moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake,

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Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 47

Excused: Clark.

Total 1

Absent or not voting: Thomas.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Barrett, Everett, Hawk, Jore, Mendenhall, Peterson, Mr. Speaker.

Total 7

Excused: Clark.

Total 1

Absent or not voting: Hamilton.

Total 1

HB 19 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore.
Total 1

Excused: Clark.
Total 1

Absent or not voting: Reinhart.
Total 1

HB 114 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Cordier, Driscoll, Dutton, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, W. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.
Total 68

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jopek, Jore, Keane, Koopman, McAlpin, Musgrove, Pomnichowski, Raser, Reinhart, Van Dyk, Windy Boy, Wiseman.
Total 30

Excused: Clark.
Total 1

Absent or not voting: L. Jones.
Total 1

HB 131 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Dickenson, Driscoll, Dutton, Ebinger, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Lake, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 73

Noes: Augare, Becker, Bergren, Caferro, Cohenour, Cordier, Erickson, Everett, Gallik, Glaser, Hands, Hawk, Hilbert, Hollenbaugh, Jacobson, Jore, Kottel, Lambert, Lange, Morgan, Nooney, Parker, Pomnichowski, Sinrud, Villa, Wilson.
Total 26

Excused: Clark.

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Total 1

Absent or not voting: None.

Total 0

HB 315 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 348 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Mr. Speaker.

Total 87

Noes: Becker, Campbell, Everett, Hawk, Ingraham, Jore, Koopman, Lake, Nooney, Parker, Wilson, Witte.

Total 12

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 395 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik,

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Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Dutton, Everett, Hawk, Heinert, Jore, Koopman, Mendenhall.

Total 7

Excused: Clark.

Total 1

Absent or not voting: Taylor.

Total 1

HB 473 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 480 passed as follows:

Ayes: Ankney, Beck, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilson, Windy Boy.

Total 69

Noes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Callahan, Driscoll, Dutton, Everett, Franklin, Heinert, Henry, Jayne, Jopek, Jore, Kasten, Kerns, Koopman, McAlpin, McGillvray, Mendenhall, Reinhart, Ripley,

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Wells, Wilmer, Wiseman, Witte, Mr. Speaker.
Total 30

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 540 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Everett, Hawk, Jore, Kasten, Koopman, McGillvray, Mendenhall, Nooney, Sonju, Wells, Mr. Speaker.
Total 11

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 569 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 93

Noes: Jopek, Jore, Kasten, Koopman, Musgrove, Witte.
Total 6

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

HB 592 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: McGillvray.

Total 1

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 644 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 90

Noes: Bergren, Bixby, Caferro, Callahan, Cohenour, Jopek, Raser, Wiseman.

Total 8

Excused: Clark.

Total 1

Absent or not voting: Malcolm.

Total 1

HB 120, as amended by the Senate, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 80

Noes: Boggio, Everett, Grinde, Hawk, Jopek, Jore, Kasten, Koopman, Lake, Lambert, Lange, Mendenhall, Ripley, Sinrud, Small-Eastman, Stahl, Wells, Witte, Mr. Speaker.

Total 19

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 124, as amended by the Senate, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Koopman, Lange, Mendenhall, Milburn, Nooney, Ripley, Sinrud, Sonju, Taylor, Vincent, Witte, Mr. Speaker.

Total 18

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

HB 409, as amended by the Senate, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Branae, Butcher, Callahan, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

Noes: Bergren, Bixby, Boggio, Caferro, Campbell, Dickenson, Jopek, Jore, Koopman, Mendenhall, Raser, Van Dyk.

Total 12

Excused: Clark.

Total 1

Absent or not voting: None.

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Total 0

SB 178 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Hawk.

Total 1

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 208 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Barrett, Blasdel, Boggio, Everett, Hawk, Hendrick, Himmelberger, Jayne, Jore, Kasten, Koopman, Lake, Lange, McGillvray, McNutt, Mendenhall, Rice, Ripley, Ross, Sinrud, Sonju, Van Dyk, Ward, Wells, Witte, Mr. Speaker.

Total 26

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 269 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner,

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Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jayne.

Total 1

Excused: Clark.

Total 1

Absent or not voting: Hamilton.

Total 1

SB 369 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SB 385 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: Jayne.
Total 1

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SJR 21 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

3/24/2007

HB 8, introduced bill, be amended as follows:

1. Title, line 5.

Following: "PROJECTS"

Insert: "AND REGIONAL WATER PROJECTS"

2. Title, line 9.

Following: line 8

Insert: "AUTHORIZING REGIONAL WATER PROJECTS AND PROVIDING AN APPROPRIATION FOR THE PROJECTS;"

3. Page 1, line 18.

Following: "(2)"

Strike: "and (3)"

Insert: "through (5)"

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4. Page 1, line 25.

Strike: line 25 in its entirety

5. Page 1, lines 27 and 28.

Following: "3% "

Strike: remainder of line 27 through "lower," on page 1, line 28

6. Page 2.

Following: line 2

Insert: "(4) The interest rate for the project in this group is 4.5% or the rate at which the state bonds are sold, whichever is lower, for up to 30 years.

Loan Amount

SUNSET IRRIGATION DISTRICT

Gravity Flow Irrigation Pipelines \$1,465,266

(5) The interest rate for the project in this group is 3% or the rate at which the state bonds are sold, whichever is lower, for up to 30 years.

Loan Amount

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

East Fork Siphon Replacement and Main Canal Lining Project \$400,000"

7. Page 2, line 24.

Strike: "7"

Insert: "8"

8. Page 2, line 25.

Strike: "\$7,541,269"

Insert: "\$26,279,448"

9. Page 2, line 26.

Strike: "\$4,312,000"

Insert: "\$5,777,266"

10. Page 2, line 26.

Strike: "\$2,543,699"

Insert: "\$2,658,596"

11. Page 2, line 27.

Strike: "[LC0124]"

Following: ", "

Insert: "\$15.4 million is to be used to finance the state share of construction expenses of regional water projects,"

Strike: "\$685,570"

Insert: "\$2,443,586"

12. Page 3, line 16.

Strike: "7"

Insert: "6 and 8"

13. Page 4, line 8.

Strike: "7"

Insert: "6 and 8"

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14. Page 4, line 10.

Insert: "NEW SECTION. **Section 7. Regional water projects -- conditions of loans -- appropriation established.** (1) The regional water projects to be funded with proceeds of the bonds authorized in [section 3] are projects for the construction, expansion, or improvement of regional water systems eligible to receive funding under 90-6-715 to the extent determined by the department of natural resources and conservation.

(2) Disbursement of proceeds of the bonds is authorized in [section 3] to pay construction expenses for an eligible regional water project subject to the following conditions, which must be met by the regional water authority or other governmental entity owning the regional water system:

(a) approval of a scope of work and budget for the project by the department of natural resources and conservation. Reductions in a scope of work or budget may not affect priority activities or improvements.

(b) documented commitment of other funds required for project completion.

(3) An appropriation is established for the amount awarded to a regional water project funded pursuant to this section."

Renumber: subsequent sections

15. Page 4, line 14.

Strike: "7"

Insert: "8"

16. Page 4, line 18.

Following: "through"

Strike: "7"

Insert: "8"

17. Page 4, line 21.

Following: line 20.

Insert: "(3) The legislature does not pledge any revenue, assets, or money from any regional water project funded by the coal severance tax bonds authorized in this section or from any other source to pay debt service on the bonds, other than the coal severance tax bond fund. The legislature may at its discretion appropriate to the payment of principal and interest on the bonds authorized in this section for regional water projects payable in a fiscal year any available funds in the treasure state endowment regional water system special revenue account established in 90-6-715. Subject to the limitations in 90-6-715, funds in the treasure state endowment regional water system special revenue account are subject to appropriation for other purposes by the legislature and are not reserved to pay debt service on the bonds authorized in this section for regional water projects."

18. Page 4, line 21.

Insert: "NEW SECTION. **Section 9. Contingent voidness.** If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 818, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void. "

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 9, introduced bill, be amended as follows:

1. Page 1, line 23.

Strike: "\$1.5"

Insert: "\$3.5"

2. Page 1, line 26.

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Following: "projects."

Insert: "The intent of this fund transfer is to increase the corpus of the trust for purposes of generating interest earnings that provide funding to support programs and projects funded by the Montana arts council, and it is further the intent of the legislature that the money transferred in this section remain in the trust and not be appropriated for other purposes."

3. Page 5, line 7.

Insert: "NEW SECTION. **Section 6. Contingent voidness.** If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 818, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 798, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

Following: "GAS"

Insert: ", AND ENERGY DEVELOPMENT"

2. Title, line 7.

Strike: "AND"

Following: "GAS"

Insert: ", AND ENERGY DEVELOPMENT"

3. Title, line 11.

Following: "AUTHORITY;"

Insert: "TRANSFERRING MONEY FROM THE GENERAL FUND;"

4. Page 1, line 18.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

Strike: "and"

5. Page 1, line 19.

Following: "gas"

Insert: ", and energy development"

6. Page 1, line 20.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

7. Page 1, line 22.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

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8. Page 1, line 23.

Following: "2-15-124"

Insert: ", except that one member of the board need not be an attorney and the board shall elect the presiding officer"

9. Page 2, line 4.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

10. Page 2, line 5.

Strike: "two"

Insert: "four"

11. Page 2, line 6.

Following: "5-1-102(2)"

Strike: "1"

Insert: ". At least one person, but not more than three out of the four people, must be from each district provided for in 5-1-102(2)."

12. Page 2, line 7.

Strike: "two people"

Insert: "one person"

Strike: "are elected mayors"

Insert: "is an elected mayor"

13. Page 2, line 8.

Strike: "two people"

Insert: "one person"

Strike: "are elected county commissioners"

Insert: "is an elected county commissioner"

14. Page 2, line 20.

Strike: "2007"

Insert: "2010"

15. Page 4, line 2.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

16. Page 4, line 3.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

17. Page 4, line 15.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

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18. Page 8, line 6.

Following: "account."

Insert: "Within the account, there is established a reserve amount from the collections allocated from 15-35-108(7) and 17-3-240(3), not to exceed 5% of the total biennial appropriations beginning July 1, 2007."

19. Page 8.

Following: line 8

Insert: "(3) The board may use the reserve amount to mitigate future energy development impacts through grants to fund the analysis of additional energy development and emergencies related to public infrastructure within a designated energy development impact area and to meet the board's responsibilities."

Renumber: subsequent subsections

20. Page 8, line 9.

Following: "money"

Insert: "transferred to the account by the legislature and"

21. Page 8, line 10.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

22. Page 8.

Following: line 14

Insert: "(7) Up to a maximum of 1% of the funds received in this account may be used by the board for administrative purposes."

23. Page 8, line 25.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

24. Page 9, line 3.

Following: "(1)"

Insert: "The governing body of a city, town, county, or school district, any other local or state governmental taxing unit, and any federally recognized Indian tribe may apply for a grant to enable it to provide governmental services that are needed as a direct consequence of an increase or decrease in:

(a) general energy development activity; or

(b) oil and gas development activity.

(2)"

25. Page 9, line 5.

Strike: "(2)"

Insert: "(3)"

26. Page 9.

Following: line 18

Insert: "NEW SECTION. Section 17. Transfer of funds. There is transferred from the general fund to the account established in 90-6-1001 the amount of \$10 million in each year of the 2009 biennium only."

Renumber: subsequent sections

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27. Page 9.

Following: line 22

Insert: "NEW SECTION. Section 19. Contingent voidness. If House Bill No. 805, House Bill No. 806, House Bill No. 807, House Bill No. 808, House Bill No. 809, House Bill No. 818, House Bill No. 819, and House Bill No. 820 are not passed and approved, then [this act] is void."

Renumber: subsequent sections

28. Page 9, line 26.

Strike: "and"

Following: "gas"

Insert: ", and energy development"

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved that **SB 25** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 166** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 445** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Bergren moved that **HB 638** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 64th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Clark.

Total 1

Absent or not voting: Vincent.

Total 1

Representative Cohenour moved that **HB 554** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 64th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson,

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Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

HB 512, introduced by L. Jones, the following sponsors were added:

Reps. Bergren, Campbell, Cordier, Ebinger, French, Keane, McChesney, Noonan, Pomnichowski, Sesso, Thomas, Windy Boy.

HJR 51, introduced by Beck, the following sponsors were added:

Reps. Bixby, Campbell, Cohenour, Dickenson, Driscoll, French, Grinde, Hands, Henry, Kottel, Pomnichowski, Sands, Wilmer.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, March 26, 2007. Motion carried.

House adjourned at 10:55 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 26, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

Speaker Sales introduced the pages of the week:

Pages: Sean McConnaha, Corvallis
Martina Wilson, Poplar
Jen Nanini, Cut Bank
Josh Lybeck, Joplin
Kristin Cole, Missoula
Logan Anderson, Rudyard
Matt Samhammer, Missoula

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):	3/22/2007
Correctly enrolled: HB 22, HB 503, HB 555, HB 703.	
Examined by the sponsor and found to be correct: HB 92, HB 105, HB 177, HB 207, HB 400, HB 521.	3/23/2007
Correctly printed: HB 519, HB 677, HB 839, HB 840, SB 160.	3/24/2007
Correctly engrossed: HB 6, HB 8, HB 9, HB 106, HB 222, HB 368, HB 798, SB 289.	
Examined by the sponsor and found to be correct: HB 22, HB 503, HB 555, HB 703.	3/26/2007
Examined by the sponsor and found to be correct: HB 118, HB 120, HB 717, HB 724.	3/27/2007
 HUMAN SERVICES (Stoker, Chairman):	 3/26/2007
SB 132 , be concurred in. Report adopted.	
SJR 5 , be concurred in. Report adopted.	
 STATE ADMINISTRATION (Himmelberger, Chairman):	 3/26/2007
SB 308 , be concurred in. Report adopted.	

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:	3/26/2007
HB 157 , introduced by Caferro	
HB 260 , introduced by Reinhart	
HB 341 , introduced by Gallik	
HB 412 , introduced by Ebinger	
HB 469 , introduced by McNutt	
HB 497 , introduced by Pomnichowski	
HB 570 , introduced by Cohenour	
HB 770 , introduced by Pomnichowski	

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/26/2007

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HB 456, introduced by McNutt

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 841, introduced by Ankney, referred to Appropriations.

HB 842, introduced by Jacobson, referred to Taxation.

Majority Leader Lange announced the Republicans would caucus. Democratic Caucus Leader Villa announced the Democrats would stand at ease. House resumed at 1:25 p.m.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 7 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Wilson.
Total 1

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 278 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman.
Total 91

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Noes: Campbell, Jore, Kasten, Koopman, McGillvray, Mendenhall, Windy Boy, Witte, Mr. Speaker.
Total 9

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 627 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Branae, Butcher, Caferro, Callahan, Cohenour, Ebinger, Erickson, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Kasten, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Windy Boy, Witte.
Total 60

Noes: Augare, Becker, Bergren, Bixby, Boggio, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Franklin, Furey, Gallik, Grinde, Hands, Hendrick, Himmelberger, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Koopman, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Phillips, Raser, Reinhart, Rice, Ripley, Van Dyk, Villa, Wilmer, Wiseman, Mr. Speaker.
Total 40

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 808 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Voted Absentee: Clark, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 60 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 92

Noes: Jore, Kasten, Kerns, Koopman, Mendenhall, Wells, Witte, Mr. Speaker.
Total 8

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 95 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SB 328 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 88

Noes: Boggio, Heinert, Hendrick, Jore, Kasten, Koopman, Sinrud, Sonju, Stoker, Vincent, Wells, Mr. Speaker.

Total 12

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 479 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Boggio, Clark, Everett, Hawk, Heinert, Hendrick, Jayne, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

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Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Villa in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 69 - Representative McNutt moved **HB 69** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Franklin, Gallik, Hawk, Ingraham, Jayne, Jore, Koopman, Lake, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 141 - Representative Jacobson moved **HB 141** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Everett, Hawk, Ingraham, Jayne, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser, Sonju, Thomas.

Total 3

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SB 214 - Representative Keane moved **SB 214** be concurred in.

SB 214 - Representative Keane moved **SB 214**, second reading copy, be amended as follows:

1. Page 6, line 8.

Strike: subsection (v) in its entirety

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 95

Noes: Boggio, Clark, Kasten, Sinrud, Mr. Speaker.

Total 5

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 214 - The motion to pass **SB 214**, as amended, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Jore, Koopman.

Total 2

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten, Sinrud, Stahl, Wells, Mr. Speaker.

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Total 5

SB 341 - Representative Klock moved **SB 341** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Koopman.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

SB 485 - Representative L. Jones moved **SB 485** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Ingraham, Jopek, Jore, Koopman, Lake, McGillvray.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Kasten.

Total 1

SB 544 - Representative L. Jones moved **SB 544** be concurred in.

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SB 544 - Representative Butcher moved **SB 544**, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: "born"

Strike: ", "

Insert: "and"

Following: "raised"

Strike: ", and finished"

Following: "Montana"

Strike: "FOLLOWING NATURALLY RAISED PROTOCOLS"

Insert: "and finished following naturally raised protocols"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 95

Noes: Jopek.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Hands, Himmelberger, Sinrud, Mr. Speaker.

Total 4

SB 544 - The motion to pass **SB 544**, as amended, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Koopman.

Total 2

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 6 - Representative Kasten moved **HB 6** do pass.

HB 6 - Representative Gallik moved **HB 6**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 6 - The motion to pass **HB 6** carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Bergren, Bixby, Callahan, Cohenour, Dickenson, Driscoll, Franklin, Gallik, Hands, Jacobson, Jore, Musgrove, Phillips, Van Dyk, Wilson, Windy Boy.

Total 16

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 8 - Representative Kasten moved **HB 8** do pass.

HB 8 - Representative Gallik moved **HB 8**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: Mendenhall.

Total 1

HB 8 - The motion to pass **HB 8** received the following vote. The bill, requiring a three-fourths vote in each House, will proceed to Third Reading.

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 9 - Representative Kasten moved **HB 9** do pass.

HB 9 - Representative Gallik moved **HB 9**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 9 -The motion to pass **HB 9** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wilmer, Windy Boy, Wiseman, Witte.

Total 72

Noes: Augare, Bergren, Bixby, Callahan, Campbell, Cohenour, Driscoll, Everett, Gallik, Grinde, Hawk, Heinert, Jacobson, Jore, Kasten, Koopman, Lange, MacLaren, McGillvray, Mendenhall, Nooney, Phillips, Sinrud, Van Dyk, Vincent, Wells, Wilson, Mr. Speaker.

Total 28

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 160 - Representative Stoker moved **HB 160** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman, McGillvray.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 222 - Representative L. Jones moved **HB 222** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Becker, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Himmelberger.

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Total 1

HB 368 - Representative Himmelberger moved **HB 368** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Boggio, Butcher, Everett, Hawk, Jore, Kasten, Mendenhall, Wells, Witte, Mr. Speaker.

Total 10

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 519 - Representative Kasten moved **HB 519** do pass. Motion carried as follows:

Ayes: Ankney, Barrett, Boggio, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Peterson, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Villa, Ward, Wilmer, Windy Boy, Wiseman.

Total 53

Noes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Clark, Driscoll, Dutton, Erickson, Everett, Gallik, Hands, Hawk, Heinert, Henry, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, MacLaren, McAlpin, McGillvray, Mendenhall, Nooney, O'Hara, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Van Dyk, Vincent, Wells, Wilson, Witte, Mr. Speaker.

Total 47

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 677 - Representative Arntzen moved **HB 677** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan,

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Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Barrett, Butcher, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Rice, Ripley, Ross, Stoker, Wells, Witte, Mr. Speaker.
Total 17

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 798 - Representative Lambert moved **HB 798** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 82

Noes: Becker, Callahan, Driscoll, Everett, Gallik, Hollenbaugh, Jore, Keane, Koopman, McAlpin, McGillvray, Mendenhall, Musgrove, Phillips, Raser, Sesso, Wilson.
Total 17

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Villa moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn,

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Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 74

Noes: Becker, Bergren, Bixby, Callahan, Cordier, Dickenson, Franklin, Gallik, Hollenbaugh, Jacobson, Jayne, Jore, Koopman, Musgrove, Phillips, Raser, Sinrud, Sonju, Van Dyk, Windy Boy, Wiseman.

Total 21

Excused: Clark.

Total 1

Absent or not voting: Ingraham, Lake, Sesso, Small-Eastman.

Total 4

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

3/26/2007

HB 12, introduced bill, be amended as follows:

1. Title, page 1, line 9 through line 10.

Strike: "PROVIDING" on line 9 through ";" on line 10

2. Page 1, line 16 through line 17.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 1, line 19 through line 20.

Strike: "-- state" on line 19 through "support" on line 20

4. Page 1, line 20.

Strike: "(1)" through "the"

Insert: "The"

5. Page 1, line 21.

Strike: "(a)"

Insert: "(1)"

6. Page 1, line 24.

Strike: "(b)"

Insert: "(2)"

7. Page 1, line 25.

Strike: "(c)"

Insert: "(3)"

8. Page 1, line 28.

Strike: "(d)"

Insert: "(4)"

9. Page 2, line 1.

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Strike: "(e)"

Insert: "(5)"

10. Page 2, line 3.

Strike: "(f)"

Insert: "(6)"

11. Page 2, line 5 through line 11.

Strike: subsections (2) and (3) in their entirety

12. Page 3, line 19.

Following: "17-7-502,"

Insert: "from the general fund"

13. Page 9, line 17 through line 22.

Strike: section 9 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 95, do pass. Report adopted.

HB 125, do pass. Report adopted.

HB 829, introduced bill, be amended as follows:

1. Page 3, line 15.

Following: "2009."

Insert: "It is the intent of the legislature that this appropriation is a one-time-only appropriation."

And, as amended, do pass. Report adopted.

HB 835, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/26/2007

SB 206, be amended as follows:

1. Title, line 11.

Following: "AUTHORITY;"

Insert: "PROVIDING AN APPROPRIATION FOR THE PILOT PROGRAM;"

2. Page 3, following line 10.

Insert: "NEW SECTION. Section 2. Appropriation. The following money is appropriated to implement the provisions of [this act] with respect to creation of a pilot program. The appropriations may be used only to implement the provisions of [this act] pertaining to the pilot program.

	Fiscal Year 2008	Fiscal Year 2009
General Fund	\$1,290,186	\$2,945,125
Federal Special Revenue	2,819,998	6,407,447"

Renumber: subsequent sections

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And, as amended, be concurred in. Report adopted.

SB 339, be amended as follows:

1. Title, line 7 through line 10.

Strike: "PROHIBITING" on line 7 through "MCA;" on line 10

2. Page 1, line 14.

Following: "(+)"

Insert: "(1)"

3. Page 1, line 15.

Strike: "76-2-310"

Insert: "subsection (2)"

4. Page 1, following line 17.

Insert: "(2) Annexation by a municipality of territory in a county that is different from the county in which the municipality is located may occur only if the municipality and the county execute an interlocal agreement that provides for a joint city-county planning board and jurisdictional equality."

5. Page 1, line 21 through page 2, line 30.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 466, be concurred in. Report adopted.

SB 467, be concurred in. Report adopted.

SB 537, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/26/2007

HB 63, introduced bill, be amended as follows:

1. Title, page 1, line 14 through line 16.

Strike: "CLARIFYING" on line 14 through "CIRCUMSTANCES;" on line 16

2. Title, page 1, line 17.

Following: "19-20-716,"

Insert: "AND"

Strike: "AND 19-20-731,"

3. Page 7, line 3.

Strike: "total"

Strike: ", including fringe benefits,"

4. Page 7, line 5.

Following: "19-20-731"

Strike: "(1)(a)"

5. Page 11, line 17 through page 13, line 5.

Strike: section 10 in its entirety

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Renumber: subsequent sections

6. Page 13, line 13.

Strike: "\$91,710"

Insert: "\$89,298"

Strike: "\$35,198"

Insert: "\$35,607"

Strike: "\$91,982"

Insert: "\$92,788"

Strike: "\$36,648"

Insert: "\$36,785"

7. Page 13, line 14.

Strike: "\$1,248,853"

Insert: "\$1,045,800"

Strike: "\$1,247,016"

Insert: "\$1,023,853"

8. Page 13, line 21.

Strike: "11(1)"

Insert: "10(1)"

And, as amended, do pass. Report adopted.

TRANSPORTATION (Sonju, Chairman):

3/26/2007

SB 386, be amended as follows:

1. Page 1, line 11.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 15.

Strike: "The"

Insert: "(b) Except as provided in subsection (1)(c), the"

3. Page 1.

Following: line 18

Insert: "(c) A person who is eligible to hold a driver's license and has obtained a valid driver's license but has not renewed the license as provided in 61-5-111(3)(c) is not subject to the penalties in subsection (1)(b)."

And, as amended, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

SB 302, introduced by Barkus, the following sponsor was deleted:

Representative Jopek.

MOTIONS

Representative Caferro moved to take **HB 354** from the table in Appropriations, be printed and placed on second

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reading on March 28, 2007

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 48

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Everett moved **HB 659** be taken from the table in the Committee on State Administration and moved to the Committee on Appropriations. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Butcher, Caferro, Cohenour, Dutton, Everett, Furey, Gallik, Hands, Hawk, Hendrick, Jayne, Jore, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 41

Noes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 58

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, March 27, 2007. Motion carried.

House adjourned at 3:30 p.m.

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MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 27, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Jore. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the fifty-second, fifty-third, fifty-fourth, and fifty-fifth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

3/26/2007

Correctly printed: **HB 95, HB 125, HB 835, SB 132, SB 308, SB 466, SB 467, SB 537.**

Correctly engrossed: **HB 12, HB 63, HB 829, SB 206, SB 339, SB 386.**

Correctly enrolled: **HB 91, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 409, HB 412, HB 469, HB 497, HB 576, HB 596, HB 717, HB 724, HB 770.**

Signed by the Chief Clerk of the House at 9:50 a.m., March 26, 2007: **HB 92, HB 105, HB 177, HB 207, HB 400, HB 521.**

Signed by the Speaker at 2:00 p.m., March 26, 2007: **HB 92, HB 105, HB 177, HB 207, HB 400, HB 521.**

Signed by the Chief Clerk of the House at 3:08 p.m., March 27, 2007: **HB 22, HB 503, HB 555, HB 703.**

Signed by the Speaker at 1:30 p.m., March 27, 2007: **HB 22, HB 503, HB 555, HB 703.**

Signed by the President at 10:00 a.m., March 27, 2007: **HB 92, HB 105, HB 177, HB 207, HB 400, HB 521.**

Examined by the sponsor and found to be correct: **HB 64, HB 98, HB 124, HB 129, HB 157, HB 260, HB 284, HB 341, HB 397, HB 412, HB 469, HB 497, HB 510, HB 570, HB 579, HB 596, HB 664, HB 770, HB 795, HJR 35, HB 409.**

3/27/2007

Correctly engrossed: **HB 3, HB 49, HB 155, HB 304, HB 406, HB 463, HB 512, HB 574, HB 732, HB 801, HB 841.**

Correctly enrolled: **HB 129, HB 284, HB 510, HB 577, HB 664, HJR 35.**

APPROPRIATIONS (Sinrud, Chairman):

3/27/2007

HB 3, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "\$27,000,000"

Insert: "\$20,609,261"

2. Page 1.

Following: line 19

Insert: "Canteen Purchases \$375,000 State Special Revenue"

3. Page 1, line 21.

Strike: "\$25,000,000"

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Insert: "\$21,500,000"

4. Page 1.

Following: line 24

Insert: "School Lawsuit \$499,732 General Fund"

5. Page 2, line 2.

Strike: "\$3,300,000"

Insert: "\$5,363,042"

6. Page 2.

Strike: line 3 through line 14 in their entirety

7. Page 2.

Following: line 16

Insert: "Transportation Aid \$380,000 General Fund"

8. Page 2, line 17.

Insert: "Department of Revenue Business Equipment Rate Reduction Reimbursement \$2,802,315 General Fund"

And, as amended, do pass. Report adopted.

HB 155, introduced bill, be amended as follows:

1. Title, line 6.

Following: "BY"

Insert: "MONTANA RESIDENTS WHO ARE"

2. Title, line 7.

Following: "GUARD"

Insert: ", "

Strike: "AND"

Following: "RESERVE"

Insert: ", OR ARMED FORCES"

3. Page 1, line 20.

Strike: "the" through "have"

Insert: "Montana has"

4. Page 1, line 21.

Following: "guard"

Insert: ", "

Strike: "and"

Following: "reserve"

Insert: ", and armed forces"

5. Page 1, line 22.

Following: "guard"

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Insert: ", "
Strike: "and"

6. Page 1, line 23.
Following: "reserve"
Insert: ", and armed forces"
Following: "a"
Strike: "national guard or reserve"
Insert: "service"

7. Page 1, line 25.
Following: "guard"
Insert: ", "
Strike: "and"
Following: "reserve"
Insert: ", and armed forces"

8. Page 1, line 27.
Following: "guard"
Insert: ", "
Strike: "and"
Following: "reserve"
Insert: ", and armed forces"

9. Page 1, line 29.
Following: "guard"
Insert: ", "
Strike: "and"
Following: "reserve"
Insert: ", and armed forces"

10. Page 2, line 5.
Following: "guard"
Insert: ", "
Strike: the first "and"
Following: "reserve"
Insert: ", and armed forces"

11. Page 2, line 17.
Following: "a"
Insert: "Montana resident who is a"
Following: "reserve"
Insert: "or a member of the armed forces, as defined in 10 U.S.C. 101(a)(4)"

12. Page 3, line 5.
Strike: "\$16.25"
Insert: "\$17.50"

And, as amended, do pass. Report adopted.

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HB 512, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "GENERAL FUND"

2. Title, line 8.

Following: "FUNDS;"

Insert: "APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY GRANTS; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR PRELIMINARY ENGINEERING GRANTS; APPROPRIATING MONEY FROM THE TREASURE STATE ENDOWMENT REGIONAL WATER SYSTEM STATE SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR FINANCIAL ASSISTANCE TO REGIONAL WATER AUTHORITIES FOR REGIONAL WATER PROJECTS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT STATE SPECIAL REVENUE ACCOUNT; TERMINATING A PRIOR TREASURE STATE ENDOWMENT GRANT; AMENDING SECTION 1, CHAPTER 435, LAWS OF 2001;"

Strike: "AN"

Strike: "DATE"

Insert: "DATES"

3. Page 1, line 12 through page 2, line 27.

Strike: section 1 in its entirety

Insert: "NEW SECTION. Section 1. Appropriation from treasure state endowment state special revenue account. (1) There is appropriated to the department of commerce \$17,333,653 of the interest earnings from the treasure state endowment state special revenue account to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 2 and 3] and described in the treasure state endowment program 2009 biennium report to the 60th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings deposited into the treasure state endowment state special revenue account during the 2009 biennium are expended.

(3) The following applicants and projects are authorized for grants:

Applicant/ProjectGrant Amount

1. Lewis and Clark County for the Woodlawn Addition (water)\$596,420
2. Bainville, Town of (wastewater)715,000
3. Madison County (bridge)370,100
4. Sweet Grass County (bridge)151,493
5. Powell County (bridge)263,074
6. Circle, Town of (wastewater)750,000
7. Harlem, City of (water)750,000
8. Jordan, Town of (wastewater)700,000
9. Thompson Falls, City of (water)363,000
10. Twin Bridges, Town of (wastewater)750,000
11. Seeley Lake-Missoula County Water District (water)750,000
12. Fergus County (bridge)238,362
13. Sunny Meadows-Missoula County Water and Sewer District (water)325,000
14. Tri-County Water District (water)313,500
15. Blaine County (bridge)617,017
16. Loma County Water and Sewer District (water)750,000

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17. Ekalaka, Town of (water and wastewater)706,369
18. Stillwater County (bridge)407,500
19. Sheridan, Town of (wastewater)750,000
20. Carter-Chouteau County Water and Sewer District (water)750,000
21. Bigfork County Water and Sewer District (wastewater)750,000
22. Dayton-Lake County Water and Sewer District (wastewater)750,000
23. Judith Basin County (bridge)192,215
24. Pinesdale, Town of (water)750,000
25. Power-Teton County Water and Sewer District (water)604,286
26. Superior, Town of (water)600,000
27. RAE Subdivision County Water and Sewer District No. 313 (water)750,000
28. Jefferson County (bridge)295,800
29. Fort Benton, City of (stormwater)750,000
30. Laurel, City of (wastewater)750,000
31. Yellowstone County (bridge) 97,079
32. Neihart, Town of (water)223,000
33. Three Forks, City of (wastewater)750,000
34. Manhattan, Town of (water)600,000
35. Cut Bank, City of (water)550,000
36. Whitehall, Town of (wastewater)750,000
37. Crow Tribe (wastewater)750,000
38. Big Sandy, Town of (wastewater)750,000
39. Fairfield, Town of (wastewater)750,000
40. Hamilton, City of (wastewater)750,000
41. Gallatin County/Hebgen Lake Estates (wastewater)750,000
42. Shelby, City of (water)750,000
43. Whitefish, City of (wastewater)750,000
44. Panoramic Mountain River Heights (water)191,500
45. Custer County (bridge)63,750
46. Brady, Town of (wastewater)750,000
47. Elk Meadows (water)410,000
48. Polson, City of (water)750,000
49. Darby, Town of (water)750,000
50. Goodan-Keil (water)532,250
51. Butte-Silver Bow (water)750,000
52. Columbia Falls, City of (wastewater)750,000
53. North Valley County (water)750,000
54. Saltese, Town of (wastewater)750,000
55. Red Lodge, City of (water)750,000
56. Black Eagle, Town of (water)365,000

(4) This section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment state special revenue account funds during the 2009 biennium pursuant to 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of funds.

(5) Funding for projects numbered 1 through 56 in subsection (3) will be provided in the order that applications are received only as long as there are sufficient funds available from the amount that was deposited into the treasure state endowment state special revenue account during the biennium ending June 30, 2009. Funding for these projects will be made available in the order that the grant recipients satisfy the conditions described in [section 3(1)]. Once funds deposited into the treasure state endowment state special revenue account during the biennium are totally committed to projects that have satisfied the conditions described in [section 3(1)], the obligation to any remaining projects will cease.

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(6) In the event that any remaining funds deposited into the treasure state endowment state special revenue account during the 2009 biennium are insufficient to fully fund one of the grant recipients listed in subsection (3), the department may make the remaining funds available to the first grant recipient that has satisfied the conditions described in [section 3(1)] and that is able to firmly commit the balance of the amount necessary to fund the project in its entirety."

4. Page 4, line 13.

Insert: "NEW SECTION. Section 4. Appropriations from treasure state endowment state special revenue account for emergency grants. There is appropriated to the department of commerce \$100,000 for the biennium beginning July 1, 2007, from the interest earnings of the treasure state endowment state special revenue account for the purpose of providing local governments, as defined in 90-6-701, with emergency grants for infrastructure projects, as defined in 90-6-701."

Insert: "NEW SECTION. Section 5. Appropriations from treasure state endowment special revenue account for preliminary engineering grants. There is appropriated to the department of commerce \$600,000 for the biennium beginning July 1, 2007, from the interest earnings of the treasure state endowment state special revenue account for the purpose of providing local governments, as defined in 90-6-701, with preliminary engineering grants for infrastructure projects, as defined in 90-6-701."

Insert: "Section 6. Section 1, Chapter 435, Laws of 2001, is amended to read:

"Section 1. Appropriations from treasure state endowment special revenue account. (1) There is appropriated to the department of commerce the interest earnings of the treasure state endowment special revenue account to finance grants authorized by this section.

(2) The funds appropriated in this section must be used by the department to make grants to the governmental entities listed in subsection (3) for the described purposes and in amounts not to exceed the amounts set out in subsection (3). The appropriations are subject to the conditions set forth in [sections 1 through 3] and described in the treasure state endowment program 2003 biennium report to the 57th legislature. The legislature, pursuant to 90-6-710, authorizes the grants for the projects listed in subsection (3). The department shall commit funds to projects listed in subsection (3), up to the amounts authorized, based on the manner of disbursement set forth in [section 3] until interest earnings deposited into the treasure state endowment special revenue account during the 2003 biennium are expended.

(3) The following applicants and projects are authorized for grants in the order of their priority:

Applicant/ProjectGrant

1. Lewis and Clark County (bridge)\$500,000
2. Alder Water and Sewer District, Madison County (wastewater)500,000
3. Hot Springs, Town of (water)500,000
4. Whitewater Water and Sewer District, Phillips County (wastewater)500,000
5. Virginia City, Town of (wastewater)500,000
6. Froid, Town of (wastewater)390,600
7. Nashua, Town of (wastewater)500,000
8. Richland County (bridge)296,500
9. Lavina, Town of (wastewater)483,000
10. Gardiner-Park County Water District, Park County (water)398,500
11. Park City/County Water and Sewer District, Stillwater County (wastewater)500,000
12. Stanford, Town of (wastewater)500,000
13. Florence County Water and Sewer District, Ravalli County (wastewater)500,000
14. Ashland County Water and Sewer District, Rosebud County (wastewater)500,000
15. Geraldine, Town of (water)167,460
16. Manhattan, Town of (wastewater)500,000
17. Lambert County Water and Sewer District, Richland County (water)403,000
18. Browning, Town of (water)500,000
19. Kevin, Town of (wastewater)385,000
20. Power-Teton Co. Water and Sewer District, Teton County (water)425,000
21. Blackfeet Tribe (water)500,000

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22. Whitefish, City of (wastewater)500,000
23. Choteau, City of (wastewater)500,000
- ~~24. Lockwood Water and Sewer District, Yellowstone County (wastewater)500,000~~
25. Eureka, Town of (water)369,000
26. Shelby, City of (water)500,000
27. Charlo Sewer District, Lake County (wastewater)500,000
28. Essex Water and Sewer District, Flathead County (water)225,000
29. Yellowstone County (bridge)300,000
30. Hinsdale Water and Sewer District, Valley County (wastewater)329,000
31. Havre, City of (water)500,000
32. Helena, City of (storm drain)500,000
33. Fairfield, Town of (wastewater)500,000
34. Jordan, Town of (water/wastewater)500,000

(4) If sufficient funds are available, this section constitutes a valid obligation of funds to the grant recipients listed in subsection (3) for purposes of encumbering the treasure state endowment special revenue account funds received during the 2003 biennium under 17-7-302. However, a grant recipient's entitlement to receive funds is dependent on the grant recipient's compliance with the conditions described in [section 3(1)] and on the availability of funds.

(5) If funds deposited into the treasure state endowment special revenue account during the biennium ending June 30, 2003, are insufficient to fully fund the projects numbered 1 through 31 in subsection (3) that have satisfied the conditions described in [section 3(1)] by June 30, 2003, these projects will be funded from deposits into the treasure state endowment special revenue account made during the 2005 biennium, before projects authorized by the 58th legislature receive funding from the account. However, any of the projects numbered 1 through 31 listed in subsection (3) that have not completed the conditions described in [section 3(1)] by January 1, 2003, must be reviewed by the next regular session of the legislature to determine if the authorized grant should be withdrawn.

(6) Projects numbered 32 through 34 listed in subsection (3) that have satisfied the conditions described in [section 3(1)] may not receive grant funds unless sufficient funds have been deposited into the treasure state endowment special revenue account to fully fund the projects numbered 1 through 31 in subsection (3). However, if a subsequent legislature withdraws funding for any of the projects numbered 1 through 31 listed in subsection (3), those funds could be made available to projects numbered 32 through 34 listed in subsection (3) that have completed the conditions described in [section 3(1)].

(7) In the event that any remaining funds deposited into the treasure state endowment special revenue account are insufficient to fully fund one of the grant recipients listed in subsection (3), the department may make the remaining funds from the treasure state endowment special revenue account available to the grant recipient on condition that the grant recipient is able to firmly commit the balance of the amount necessary to fund the project in its entirety."

Insert: "NEW SECTION. Section 7. Appropriation from treasure state endowment regional water system special revenue account. (1) There is appropriated to the department of natural resources and conservation the interest earnings of the treasure state endowment regional water system state special revenue account to finance the state's share of regional water system projects authorized by this section and as set forth in 90-6-715.

(2) The dry prairie rural water authority and the north central Montana regional water authority are authorized to receive funds.

(3) Up to \$6,686,000 is authorized for the 2009 biennium to provide the state's share for regional water system projects.

(4) A regional water authority's receipt of funds is dependent on the authority's compliance with the conditions described in [section 9(1)].

(5) This section constitutes a valid obligation of funds to the regional water authorities listed in subsection (2) for purposes of encumbering the treasure state endowment regional water system state special revenue account funds received during the 2009 biennium under 17-7-302."

Insert: "NEW SECTION. Section 8. Approval of funds -- completion of appropriation. (1) The legislature, pursuant to 90-6-715, authorizes funds for the regional water authorities identified in [section 7(2)].

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(2) The authorization of these funds completes an appropriation from the treasure state endowment regional water system special revenue account provided for in 17-5-703(4)(d)."

Insert: "NEW SECTION. Section 9. Conditions -- manner of disbursement of funds. (1) The disbursement of funds under [sections 7 through 9] is subject to completion of the following conditions:

(a) The regional water authority shall execute an agreement with the department of natural resources and conservation.

(b) The regional water authority must have a project management plan that is approved by the department.

(c) The regional water authority shall establish a financial accounting system that the department can reasonably ensure conforms to generally accepted accounting principles.

(d) The regional water authority shall provide the department with a detailed preliminary engineering report.

(2) The department shall disburse funds on a reimbursement basis as the regional water authority incurs eligible project expenses."

"NEW SECTION. Section 10. Fund transfer -- use of transferred funds. (1) The amount of \$2 million is transferred from the state general fund to the treasure state endowment state special revenue account. The funds transferred pursuant to this section must be held in a subaccount to be used for the projects authorized in [section 1] if the appropriations in that section are insufficient to fund all of the enumerated projects. Interest earned on the subaccount must be deposited in the treasure state endowment state special revenue account.

(2) If the funds are needed for the purposes of subsection (1), then the funds are appropriated to the department of commerce for the purpose of funding the authorized projects. Any money remaining in the subaccount at the end of the biennium reverts to the general fund."

Renumber: subsequent sections

5. Page 4, line 18.

Strike: "date"

Insert: "dates"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

6. Page 4, line 19.

Insert: "(2) [Sections 7 through 9 and this section] are effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 830, introduced bill, be amended as follows:

1. Page 1, line 16.

Strike: "18]"

Insert: "17]"

2. Page 1, line 20.

Strike: "18]"

Insert: "17]"

3. Page 3, line 10.

Strike: "3,750,000" in both places

Insert: "1,500,000" in both places

4. Page 3, line 11.

Following: "System"

Insert: "Remote"

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Following: "Centers"

Strike: remainder of line 11

Insert: "2,500,000[LRBP] 2,500,000[Total]"

5. Page 3, line 12.

Strike: line 12 in its entirety

Insert: "The enterprise system remote services centers project must be performed by contracted services pursuant to Title 18, chapter 4."

6. Page 3, line 15.

Strike: "2,800,000"

Insert: "259,000"

Strike: "9,800,000"

Insert: "7,259,000"

7. Page 5.

Following: line 7

Insert: "Supplement Billings College of Technology Expansion 2,217,000[LRBP] 2,217,000[Total]"

8. Page 7, line 7.

Strike: "7,750,000" in both places

Insert: "7,250,000" in both places

9. Page 7, line 9.

Strike: "(4)"

Insert: "(3)"

Following: "fund"

Strike: "\$59.313"

Insert: "\$46.838"

10. Page 7, line 10.

Following: "and"

Strike: "\$59.313"

Insert: "\$46.838"

11. Page 7, lines 11 and 12.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

12. Page 7, line 13.

Strike: "(4)"

Insert: "(3)"

13. Page 7, line 16.

Strike: "\$33,505,165"

Insert: "\$20,318,035"

14. Page 7, line 19.

Strike: "through (3)"

Insert: "and (2)"

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15. Page 8, line 2.

Strike: "15]"

Insert: "14]"

16. Page 10, line 12.

Strike: line 12 in its entirety

17. Page 11, lines 12 through 15.

Strike: section 9 in its entirety

Renumber: subsequent sections

18. Page 13, line 5.

Strike: "7,823,130" in both places

Insert: "3,000,000" in both places

19. Page 13, line 6.

Strike: "4,000,000" in both places

Insert: "3,000,000" in both places

20. Page 13, line 10.

Strike: "7,625,000"

Insert: "5,000,000"

Strike: "16,225,000"

Insert: "13,600,000"

21. Page 13, line 12.

Following: "System"

Strike: remainder of line 12 in its entirety

Insert: "4,500,000[LRITP] 4,500,000[Federal] 9,000,000[Total]"

22. Page 13, line 13.

Following: "System"

Strike: remainder of line 13 in its entirety

Insert: "12,500,000[LRITP] 9,821,000[Federal] 22,321,000[Total]"

23. Page 13.

Following: line 15

Insert: "The northern tier network expansion appropriation is restricted for rural network expansion. This appropriation may not be used for backbone. The northern tier network expansion project must be performed by contracted services pursuant to Title 18, chapter 4.

The statewide E911 network project must be performed by contracted services pursuant to Title 18, chapter 4. The amount of \$1.5 million of the E911 appropriation must be used for the purchase, installation, and maintenance of the position-determining equipment on the existing statewide E911 network, and \$1.5 million must be distributed to counties. The funds may not be used to pay for early termination fees on existing contracts. Sixteen percent of the amount distributed to counties must be distributed evenly to the 56 counties, and 84% must be distributed to counties with 1% or less of the total population. To be eligible for E911 network funding, a county must have an approved enhanced 9-1-1 plan in accordance with 10-4-125."

24. Page 13, line 19.

Strike: "14(1)]"

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Insert: "13(1)]"

25. Page 14, line 3.

Strike: "15]"

Insert: "14]"

26. Page 14, line 4.

Strike: "15]"

Insert: "14]"

27. Page 22, line 21.

Strike: "17 and 18]"

Insert: "16 and 17]"

28. Page 23, line 1.

Strike: "17 and 18]"

Insert: "16 and 17]"

29. Page 23, line 7.

Following: "approved"

Insert: "with a reduction to the future fisheries resource indemnity trust interest earnings distribution"

30. Page 23, line 8.

Following: "is"

Strike: remainder of line 8

Insert: "reduced by a like amount."

31. Page 23, line 10.

Strike: "3(3)"

Insert: "3(2)"

And, as amended, do pass. Report adopted.

HB 406, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "GROUP;"

Insert: "REQUIRING A REPORT TO THE LEGISLATURE; TRANSFERRING GENERAL FUND MONEY;"

2. Page 2, line 19.

Following: "expenditures"

Insert: "-- report to legislature"

3. Page 2, line 24.

Following: "accomplish"

Strike: "each"

Insert: "any"

4. Page 3.

Following: line 9

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Insert: "(5) (a) The department shall provide regular interim reports on the status of the program and program expenditures to the legislative finance committee and the children, families, health, and human services interim committee.

(b) The department shall report to the legislature, as provided for in 5-11-210, the following information for each year of the biennium:

- (i) the status of the expenditures made pursuant to [sections 1 through 9];
- (ii) the number of people served by the expenditure of funds; and
- (iii) the costs to the state of the services provided pursuant to [sections 1 through 9]."

5. Page 5, line 12.

Following: "Appropriation."

Insert: "(1)"

Strike: "\$2 million"

Insert: "\$650,000"

6. Page 5.

Following: line 16

Insert: "(2) The appropriation in this section is one-time in nature and is not to be included in the base budget for the 2011 biennium budget."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/27/2007

SB 312, be concurred in. Report adopted.

SB 540, be amended as follows:

1. Title, line 9.

Following: "SECTIONS"

Insert: "23-5-112,"

Following: "23-5-152"

Insert: ", "

2. Page 1, line 14.

Following: line 13

Insert: "**Section 1.** Section 23-5-112, MCA, is amended to read:

"23-5-112. Definitions. Unless the context requires otherwise, the following definitions apply to parts 1 through 8 of this chapter:

(1) "Applicant" means a person who has applied for a license or permit issued by the department pursuant to parts 1 through 8 of this chapter.

(2) "Application" means a written request for a license or permit issued by the department. The department shall adopt rules describing the forms and information required for issuance of a license.

(3) "Authorized equipment" means, with respect to live keno or bingo, equipment that may be inspected by the department and that randomly selects the numbers.

(4) "Bingo" means a gambling activity played for prizes with a card bearing a printed design of 5 columns of 5 squares each, 25 squares in all. The letters B-I-N-G-O must appear above the design, with each letter above one of the columns. More than 75 numbers may not be used. One number must appear in each square, except for the center square, which may be considered a free play. Numbers are randomly drawn using authorized equipment until the game is won by the person or persons who first cover one or more previously designated arrangements of numbers on the bingo card.

(5) "Bingo caller" means a person 18 years of age or older who, using authorized equipment, announces the order of the numbers drawn in live bingo.

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- (6) "Card game table" or "table" means a live card game table:
- (a) authorized by permit and made available to the public on the premises of a licensed gambling operator;
- or
- (b) operated by a senior citizen center.
- (7) "Card game tournament" means a gambling activity for which a permit has been issued involving participants who pay valuable consideration for the opportunity to compete against each other in a series of live card games conducted over a designated period of time.
- (8) "Dealer" means a person with a dealer's license issued under part 3 of this chapter.
- (9) "Department" means the department of justice.
- (10) "Distributor" means a person who:
- (a) purchases or obtains from a licensed manufacturer, distributor, or route operator equipment of any kind for use in gambling activities; and
- (b) sells the equipment to a licensed distributor, route operator, or operator.
- (11) (a) "Gambling" or "gambling activity" means risking any money, credit, deposit, check, property, or other thing of value for a gain that is contingent in whole or in part upon lot, chance, or the operation of a gambling device or gambling enterprise.
- (b) The term does not mean conducting or participating in a promotional game of chance and does not include amusement games regulated by Title 23, chapter 6, part 1.
- (12) "Gambling device" means a mechanical, electromechanical, or electronic device, machine, slot machine, instrument, apparatus, contrivance, scheme, or system used or intended for use in any gambling activity.
- (13) "Gambling enterprise" means an activity, scheme, or agreement or an attempted activity, scheme, or agreement to provide gambling or a gambling device to the public.
- (14) (a) "Gift enterprise" means a gambling activity in which persons have qualified to obtain property to be awarded by purchasing or agreeing to purchase goods or services.
- (b) The term does not mean:
- (i) a cash or merchandise attendance prize or premium that county fair commissioners of agricultural fairs and rodeo associations may give away at public drawings at fairs and rodeos;
- (ii) a promotional game of chance; or
- (iii) an amusement game regulated under Title 23, chapter 6.
- (15) "Gross proceeds" means gross revenue received less prizes paid out.
- (16) "Illegal gambling device" means a gambling device not specifically authorized by statute or by the rules of the department. The term includes:
- (a) a ticket or card, by whatever name known, containing concealed numbers or symbols that may match numbers or symbols designated in advance as prize winners, including a pull tab, punchboard, push card, tip board, pickle ticket, break-open, or jar game, except for one used under Title 23, chapter 7, or under part 5 of this chapter or in a promotional game of chance approved by the department; and
- (b) an apparatus, implement, or device, by whatever name known, specifically designed to be used in conducting an illegal gambling enterprise, including a faro box, faro layout, roulette wheel, roulette table, ~~or~~ craps table, ~~or~~ a slot machine, except as provided in 23-5-153.
- (17) "Illegal gambling enterprise" means a gambling enterprise that violates or is not specifically authorized by a statute or a rule of the department. The term includes:
- (a) a card game, by whatever name known, involving any bank or fund from which a participant may win money or other consideration and that receives money or other consideration lost by the participant and includes the card games of blackjack, twenty-one, jacks or better, baccarat, or chemin de fer;
- (b) a dice game, by whatever name known, in which a participant wagers on the outcome of the roll of one or more dice, including craps, hazard, or chuck-a-luck, but not including activities authorized by 23-5-160;
- (c) sports betting, by whatever name known, in which a person places a wager on the outcome of an athletic event, including bookmaking, parlay bets, or sultan sports cards, but not including those activities authorized in Title 23, chapter 4, and parts 2, 5, and 8 of this chapter;
- (d) credit gambling; and
- (e) internet gambling.

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(18) (a) "Internet gambling", by whatever name known, includes but is not limited to the conduct of any legal or illegal gambling enterprise through the use of communications technology that allows a person using money, paper checks, electronic checks, electronic transfers of money, credit cards, debit cards, or any other instrumentality to transmit to a computer information to assist in the placing of a bet or wager and corresponding information related to the display of the game, game outcomes, or other similar information.

(b) The term does not include the operation of a simulcast facility allowed by Title 23, chapter 4, or the state lottery provided for in Title 23, chapter 7. If all aspects of the gaming are conducted on Indian lands in conformity with federal statutes and with administrative regulations of the national Indian gaming commission, the term does not include class II gaming or class III gaming as defined by 25 U.S.C. 2703.

(19) "Keno" means a game of chance in which prizes are awarded using a card with 8 horizontal rows and 10 columns on which a player may pick up to 10 numbers. A keno caller, using authorized equipment, shall select at random at least 20 numbers out of numbers between 1 and 80, inclusive.

(20) "Keno caller" means a person 18 years of age or older who, using authorized equipment, announces the order of the numbers drawn in live keno.

(21) "License" means a license for an operator, dealer, card room contractor, manufacturer of devices not legal in Montana, sports tab game seller, manufacturer of electronic live bingo or keno equipment, other manufacturer, distributor, or route operator that is issued to a person by the department.

(22) "Licensee" means a person who has received a license from the department.

(23) "Live card game" or "card game" means a card game that is played in public between persons on the premises of a licensed gambling operator or in a senior citizen center.

(24) (a) "Lottery" means a scheme, by whatever name known, for the disposal or distribution of property among persons who have paid or promised to pay valuable consideration for the chance of obtaining the property or a portion of it or for a share or interest in the property upon an agreement, understanding, or expectation that it is to be distributed or disposed of by lot or chance.

(b) The term does not mean lotteries authorized under Title 23, chapter 7.

(25) "Manufacturer" means a person who:

(a) assembles from raw materials or subparts a completed piece of equipment or pieces of equipment of any kind to be used as a gambling device and who sells the equipment directly to a licensed distributor, route operator, or operator; or

(b) possesses gambling devices or components of gambling devices for the purpose of testing them.

(26) "Nonprofit organization" means a nonprofit corporation or nonprofit charitable, religious, scholastic, educational, veterans', fraternal, beneficial, civic, senior citizens', or service organization established for purposes other than to conduct a gambling activity.

(27) "Operator" means a person who purchases, receives, or acquires, by lease or otherwise, and operates or controls for use in public a gambling device or gambling enterprise authorized under parts 1 through 8 of this chapter.

(28) "Permit" means approval from the department to make available for public play a gambling device or gambling enterprise approved by the department pursuant to parts 1 through 8 of this chapter.

(29) "Person" or "persons" means both natural and artificial persons and all partnerships, corporations, associations, clubs, fraternal orders, and societies, including religious and charitable organizations.

(30) "Premises" means the physical building or property within or upon which a licensed gambling activity occurs, as stated on an operator's license application and approved by the department.

(31) "Promotional game of chance" means a scheme, by whatever name known, for the disposal or distribution of property among persons who have not paid or are not expected to pay any valuable consideration or who have not purchased or are not expected to purchase any goods or services for a chance to obtain the property, a portion of it, or a share in it. The property is disposed of or distributed by simulating a gambling enterprise authorized by parts 1 through 8 of this chapter or by operating a device or enterprise approved by the department that was manufactured or intended for use for purposes other than gambling.

(32) "Public gambling" means gambling conducted in:

(a) a place, building, or conveyance to which the public has access or may be permitted to have access;

(b) a place of public resort, including but not limited to a facility owned, managed, or operated by a

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partnership, corporation, association, club, fraternal order, or society, including a religious or charitable organization; or

(c) a place, building, or conveyance to which the public does not have access if players are publicly solicited or the gambling activity is conducted in a predominantly commercial manner.

(33) "Raffle" means a form of lottery in which each participant pays valuable consideration for a ticket to become eligible to win a prize. Winners must be determined by a random selection process approved by department rule.

(34) "Route operator" means a person who:

(a) purchases from a licensed manufacturer, route operator, or distributor equipment of any kind for use in a gambling activity;

(b) leases the equipment to a licensed operator for use by the public; and

(c) may sell to a licensed operator equipment that had previously been authorized to be operated on a premises.

(35) "Senior citizen center" means a facility operated by a nonprofit or governmental organization that provides services to senior citizens in the form of daytime or evening educational or recreational activities and does not provide living accommodations to senior citizens. Services qualifying under this definition must be recognized in the state plan on aging adopted by the department of public health and human services.

(36) (a) "Slot machine" means a mechanical, electrical, electronic, or other gambling device, contrivance, or machine that, upon insertion of a coin, currency, token, credit card, or similar object or upon payment of any valuable consideration, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the gambling device to receive cash, premiums, merchandise, tokens, or anything of value, whether the payoff is made automatically from the machine or in any other manner.

(b) This definition does not apply to video gambling machines authorized under part 6 of this chapter.

(37) "Video gambling machine" is a gambling device specifically authorized by part 6 of this chapter and the rules of the department. ""

Renumber: subsequent sections

3. Page 2, lines 24 and 25.

Following: "operation" on line 24

Strike: remainder of line 24 through "DEVICES" on line 25

Insert: "licensed retail business establishment for purposes of resale and not for operation"

4. Page 2, line 28.

Following: "antique"

Strike: "slot machines and other antique"

5. Page 2, lines 29 and 30.

Following: "antique" on line 29

Strike: remainder of line 29 through "An antique" on line 29

6. Page 3, line 2.

Following: "in"

Insert: "23-5-152(6) and"

Following: "(3)"

Insert: "of this section"

Strike: "slot machine or antique"

7. Page 3, line 4.

Strike: "slot machine or antique"

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8. Page 3, line 6.

Following: "a"

Insert: "retail business establishment or"

9. Page 3, line 7.

Strike: "machine or"

10. Page 3, line 10.

Strike: "slot machines and antique" on line 10

11. Page 3, line 11.

Strike: "machines"

Insert: "devices"

12. Page 3, lines 12 and 13.

Following: "antique" on line 12

Strike: remainder of line 12 through "antique" on line 13

13. Page 3, line 14.

Strike: "an annual"

Insert: "a"

Strike: "machines or other"

14. Page 3, line 15.

Strike: "a year"

Insert: ", and the license is valid for 3 years from the date that the license is issued"

15. Page 3, line 17.

Strike: "slot machine or"

16. Page 3, line 18.

Strike: "machine or"

17. Page 3, line 19.

Strike: "a"

Strike: "machine or"

Insert: "an illegal gambling"

18. Page 3, line 20.

Strike: "slot machine or antique"

And, as amended, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):
SB 448, be amended as follows:

3/27/2007

1. Title, line 12.

Following: "ANALYSIS;"

Insert: "REQUIRING THAT AN APPLICANT PAY COSTS INCURRED BY THE OFFICE OF CONSUMER COUNSEL IN PREPARING A FISCAL IMPACT ANALYSIS;"

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2. Title, line 12.

Following: "75-1-201,"

Insert: "75-1-205,"

3. Page 1, line 20.

Strike: the second "THE"

4. Page 7, line 1.

Insert: "**Section 4.** Section 75-1-205, MCA, is amended to read:

"75-1-205. Collection and use of fees and costs. (1) A person who applies to a state agency for a permit, license, or other authorization that the agency determines requires preparation of an environmental impact statement is responsible for paying:

(a) the agency's costs of preparing the environmental impact statement and conducting the environmental impact statement process if the agency makes a written determination, based on material evidence identified in the determination, that there will be a significant environmental impact or a potential for a significant environmental impact; ~~or. If a customer fiscal impact analysis is required under [section 1], the applicant shall also pay the staff and consultant costs incurred by the office of consumer counsel in preparing the analysis.~~

(b) a fee as provided in 75-1-202 if the agency does not make the determination provided for in subsection (1)(a).

(2) Costs payable under subsection (1) include:

(a) the costs of generating, gathering, and compiling data and information that is not available from the applicant to prepare the draft environmental impact statement, any supplemental draft environmental impact statement, and the final environmental impact statement;

(b) the costs of writing, reviewing, editing, printing, and distributing a reasonable number of copies of the draft environmental impact statement;

(c) the costs of attending meetings and hearings on the environmental impact statement, including meetings and hearings held to determine the scope of the environmental impact statement; and

(d) the costs of preparing, printing, and distributing a reasonable number of copies of any supplemental draft environmental impact statement and the final environmental impact statement, including the cost of reviewing and preparing responses to public comment.

(3) Costs payable under subsection (1) include:

(a) payments to contractors hired to work on the environmental impact statement;

(b) salaries and expenses of an agency employee who is designated as the agency's coordinator for preparation of the environmental impact statement for time spent performing the activities described in subsection (2) or for managing those activities; and

(c) travel and per diem expenses for other agency personnel for attendance at meetings and hearings on the environmental impact statement.

(4) (a) Whenever the agency makes the determination in subsection (1)(a), it shall notify the applicant of the cost of conducting the process to determine the scope of the environmental impact statement. The applicant shall pay that cost, and the agency shall then conduct the scoping process. The timeframe in 75-1-208(4)(a)(i) and any statutory timeframe for a decision on the application are tolled until the applicant pays the cost of the scoping process.

(b) If the agency decides to hire a third-party contractor to prepare the environmental impact statement, the agency shall prepare a list of no fewer than four contractors acceptable to the agency and shall provide the applicant with a copy of the list. If fewer than four acceptable contractors are available, the agency shall include all acceptable contractors on the list. The applicant shall provide the agency with a list of at least 50% of the contractors from the agency's list. The agency shall select its contractor from the list provided by the applicant.

(c) Upon completion of the scoping process and subject to subsection (1)(d), the agency and the applicant shall negotiate an agreement for the preparation of the environmental impact statement. The agreement must provide that:

(i) the applicant shall pay the cost of the environmental impact statement as determined by the agency after consultation with the applicant. In determining the cost, the agency shall identify and consult with the applicant

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regarding the data and information that must be gathered and studies that must be conducted.

(ii) the agency shall prepare the environmental impact statement within a reasonable time determined by the agency after consultation with the applicant and set out in the agreement. This timeframe supersedes any timeframe in statute or rule. If the applicant and the agency cannot agree on a timeframe, the agency shall prepare the environmental impact statement within any timeframe provided by statute or rule.

(iii) the applicant shall make periodic advance payments to cover work to be performed;

(iv) the agency may order work on the environmental impact statement to stop if the applicant fails to make advance payment as required by the agreement. The time for preparation of the environmental impact statement is tolled for any period during which a stop-work order is in effect for failure to make advance payment.

(v) (A) if the agency determines that the actual cost of preparing the environmental impact statement will exceed the cost set out in the agreement or that more time is necessary to prepare the environmental impact statement, the agency shall submit proposed modifications to the agreement to the applicant;

(B) if the applicant does not agree to an extension of the time for preparation of the environmental impact statement, the agency may initiate the informal review process under subsection (4)(d). Upon completion of the informal review process, the agreement may be amended only with the consent of the applicant.

(C) if the applicant does not agree with the increased costs proposed by the agency, the applicant may refuse to agree to the modification and may also provide the agency with a written statement providing the reason that payment of the increased cost is not justified or, if applicable, the reason that a portion of the increased cost is not justified. The applicant may also request an informal review as provided in subsection (4)(d). If the applicant provides a written statement pursuant to this subsection (4)(c)(v)(C), the agreement must be amended to require the applicant to pay all undisputed increased cost and 75% of the disputed increased cost and to provide that the agency is responsible for 25% of the disputed increased cost. If the applicant does not provide the statement, the agreement must be amended to require the applicant to pay all increased costs.

(d) If the applicant does not agree with costs determined under subsection (4)(c)(i) or proposed under subsection (4)(c)(v), the applicant may initiate the informal review process pursuant to 75-1-208(3). If the applicant does not agree to a time extension proposed by the agency under subsection (4)(c)(v), the agency may initiate an informal review by an appropriate board under 75-1-208(3). The period of time for completion of the environmental impact statement provided in the agreement is tolled from the date of submission of a request for a review by the appropriate board until the date of completion of the review by the appropriate board. However, the agency shall continue to work on preparation of the environmental impact statement during this period if the applicant has advanced money to pay for this work.

(5) All fees and costs collected under this part must be deposited in the state special revenue fund as provided in 17-2-102. All fees and costs paid pursuant to this part must be used as provided in this part. Upon completion of the necessary work, each agency shall make an accounting to the applicant of the funds expended and refund all unexpended funds without interest."

Renumber: subsequent sections

5. Page 8, line 5.

Following: "regulation"

Insert: "and the consumer counsel"

6. Page 8, line 8.

Following: "reports"

Insert: "and to the office of consumer counsel"

7. Page 8, line 28.

Insert: "COORDINATION SECTION. **Section 8. Coordination instruction.** If both House Bill No. 610 and [this act] are passed and approved, then the amendments to 75-1-201(3) in [this act] are void."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

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NATURAL RESOURCES (McNutt, Chairman):
HB 831, introduced bill, be amended as follows:

3/27/2007

1. Title, line 9 through line 11.
Strike: "REQUIRING" on line 9 through "CRITERIA;" on line 11
2. Title, line 12.
Following: "REQUIREMENTS"
Insert: "AND A FEE"
3. Title, line 13 through line 14.
Strike: "RECOGNIZING" on line 13 through "INSTANCES;" on line 14
4. Title, line 15.
Following: "85-2-330,"
Insert: "85-2-335,"
Strike: "85-2-337,"
5. Title, line 16.
Strike: "85-2-402,"
Following: "MCA;"
Insert: "REPEALING SECTION 85-2-337, MCA;"
6. Title, line 17.
Strike: "APPLICABILITY DATES"
Insert: "AN APPLICABILITY DATE"
7. Page 2, line 27.
Strike: "15"
Insert: "14"
Strike: "17"
Insert: "16"
8. Page 2, line 30.
Following: "offset"
Insert: "adverse effects resulting from"
9. Page 3, line 1 through line 2.
Strike: "in a closed" on line 1 through "right" on line 2
10. Page 3, line 18.
Strike: "15"
Insert: "14"
Strike: "17"
Insert: "16"
11. Page 4, line 13 through line 14.
Following: "offset" on line 13
Insert: "adverse effects resulting from"
Strike: "in a closed" on line 13 through "right" on line 14

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12. Page 5, line 22.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

13. Page 5, line 25.

Following: "offset"

Insert: "adverse effects resulting from"

14. Page 5, line 26 through line 27.

Strike: "in a closed" on line 26 through "right" on line 27

15. Page 6, line 11.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

16. Page 7, line 5 through line 6.

Following: "offset" on line 5

Insert: "adverse effects resulting from"

Strike: "in a closed" on line 5 through "right" on line 6

17. Page 8, line 7 through line 8.

Strike: "for the purpose" on line 7 through "22]" on line 8

Insert: "[section 21]"

18. Page 11, line 20.

Strike: "15"

Insert: "14"

19. Page 11, line 22.

Following: "water supply data,"

Insert: "modeling information,"

20. Page 12, following line 1.

Insert: "(8) For an application for ground water in a basin closed pursuant to 85-2-330, 85-2-336, 85-2-341, 85-2-343, or 85-2-344 or during the period of closure for any basin that is administratively closed pursuant to 85-2-319, the applicant shall comply with the provisions of [section 14] in addition to the requirements of this section."

21. Page 12, line 22.

Strike: "15"

Insert: "14"

22. Page 12, line 27.

Following: "by"

Insert: "or for"

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23. Page 13, following line 11.

Insert: "Section 6. Section 85-2-335, MCA, is amended to read:

"85-2-335. Definitions. Unless the context requires otherwise, in 85-2-335, ~~through 85-2-336, and~~ 85-2-338, the following definitions apply:

(1) "Application" means an application for a beneficial water use permit pursuant to 85-2-302.

(2) "Upper Clark Fork River basin" means the drainage area of the Clark Fork River and its tributaries above Milltown dam.""

Renumber: subsequent sections

24. Page 13, line 18.

Strike: "15"

Insert: "14"

25. Page 14, line 11 through line 25.

Strike: section 7 in its entirety

Renumber: subsequent sections

26. Page 15, line 19.

Strike: "15"

Insert: "14"

27. Page 15, line 24.

Following: "use by"

Insert: "or for"

28. Page 16, line 29.

Strike: "15"

Insert: "14"

29. Page 17, line 4.

Following: "use by"

Insert: "or for"

30. Page 18, line 12.

Strike: "15"

Insert: "14"

31. Page 18, line 13.

Following: "use by"

Insert: "or for"

32. Page 19, line 2 through page 29, line 28.

Strike: section 13 in its entirety

Renumber: subsequent sections

33. Page 31, line 26 through line 27.

Strike: "or an application for" on line 26 through "(17)" on line 27

34. Page 31, line 28.

Strike: "16"

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Insert: "15"

35. Page 31, line 29.

Strike: "or change in appropriation right"

36. Page 31, line 30.

Strike: "17"

Insert: "16"

37. Page 32, line 1.

Strike: "16"

Insert: "15"

38. Page 32, line 2.

Strike: "or change in appropriation right"

39. Page 32, line 4.

Following: "(3)(a)"

Insert: "(i)"

40. Page 32, line 4 through line 5.

Strike: "or change" on line 4 through "right" on line 5

41. Page 32, line 5.

Strike: "determine if"

Insert: "analyze whether"

42. Page 32, line 6.

Following: "If"

Insert: "the applicant provides substantial credible information showing that"

43. Page 32, line 6 through line 7.

Strike: "and the" on line 6 through "determination" on line 7

44. Page 32, line 7.

Following: "proceed"

Insert: "to process the application"

45. Page 32, line 7 through line 8.

Strike: "85-2-307" on line 7 through "85-2-311" on line 8

Insert: "[section 17]"

46. Page 32, line 8.

Following: "311."

Insert: "(ii)"

Following: "If"

Strike: "there is"

Insert: "the applicant fails to provide substantial credible information showing the lack of"

Following: "appropriator"

Insert: "from net depletions"

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Following: "unless"

Insert: ", in addition to all other applicable criteria,"

47. Page 32, line 13.

Following: "(4)"

Strike: "(a)"

48. Page 32, line 14.

Following: "(3)(a)"

Insert: "(ii)"

Following: "(3)(a),"

Insert: "the department may proceed to process the application pursuant to [section 17] if, in addition to other applicable criteria,"

Following: "the applicant"

Strike: "may receive an appropriation right if the applicant"

Strike: "17"

Insert: "16"

49. Page 32, line 14 through line 15.

Strike: the last "the" on line 14 through "causes" on line 15

Insert: "proves by a preponderance of the evidence that"

50. Page 32, line 15.

Following: "effect"

Insert: "caused by the net depletion"

51. Page 32, line 16 through line 20.

Strike: subsection (b) in its entirety

52. Page 32, line 21.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

53. Page 32, line 24.

Strike: "or a change in appropriation right"

54. Page 32, line 26.

Strike: "is claimed to"

Insert: "may"

55. Page 32, line 28 through line 29.

Strike: subsection (6) in its entirety

56. Page 33, line 2.

Strike: "15"

Insert: "14"

Strike: "17"

Insert: "16"

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57. Page 33, line 3.

Following: "diversion,"

Strike: "or"

Insert: "and"

58. Page 33, line 5.

Following: "timing of any"

Insert: "net"

59. Page 33, line 8.

Strike: "or change in appropriation right"

60. Page 33, line 11.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

61. Page 33, line 19.

Strike: "or a change in appropriation right"

Following: "include"

Strike: "a"

Following: "hydrogeologic"

Insert: "data or a"

62. Page 33, line 21.

Strike: "or the change in appropriation right"

63. Page 34, line 15 through line 16.

Strike: "or change" on line 15 through "appropriation" on line 16

64. Page 34, line 22.

Strike: ", by a preponderance of the evidence,"

65. Page 34, line 24.

Strike: "(a)"

Following: "assessment,"

Insert: "the"

Following: "model"

Insert: "if provided"

Following: "model,"

Insert: "the"

Following: "data,"

Insert: "the"

66. Page 34, line 27 through page 35, line 1.

Strike: subsection (b) in its entirety

67. Page 35, line 2.

Strike: "(c)"

68. Page 35, line 9.

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Strike: "16"

Insert: "15"

69. Page 35, line 11.

Strike: "15"

Insert: "14"

70. Page 35, line 13 through line 14.

Strike: "A mitigation plan" on line 13 through "water." on line 14

71. Page 35, line 24 through line 26.

Strike: "An aquifer" on line 24 through "water." on line 26

72. Page 36, line 10.

Following: "predicted"

Insert: "adverse effects on a prior appropriator caused by the"

73. Page 36, following line 14.

Insert: "NEW SECTION. **Section 17. Process for combining decisions on ground water permit applications in closed basins.** (1) An applicant for a permit to appropriate water in a closed basin shall submit to the department a combined application consisting of a hydrogeologic assessment with an analysis of net depletion, a mitigation plan or aquifer recharge plan if required, an application for a beneficial water use permit or permits, and an application for a change in appropriation right or rights if necessary.

(2) The department shall review the application to determine if it is correct and complete under the process and requirements of 85-2-302.

(3) (a) Once an application has been determined to be correct and complete, the department shall issue a statement of the department's opinion and the reasons for its opinion, including a criteria assessment stating whether the department is of the opinion that the application should be approved, denied, or approved in a modified form or upon terms, conditions, or limitations specified by the department. The criteria assessment must be provided to the applicant and made available to the public prior to public notice of the application. The department shall prepare a notice and publish it as provided under 85-2-307.

(b) If no valid objection is filed to the application and the criteria assessment prepared by the department states that the department is of the opinion that the application should be approved, the department shall issue the permit and a hearing may not be held.

(c) If no valid objection is filed to the application and the criteria assessment prepared by the department states that the department is of the opinion that the application should be denied or approved in a modified form or upon terms, conditions, or limitations specified by the department, the department shall proceed to process the application pursuant to 85-2-310(2).

(d) If a valid objection is filed to the application, the department shall proceed to process the application pursuant to 85-2-308 through 85-2-311. If the applicant satisfies the criteria of 85-2-311 and 85-2-402, if necessary, and proves by a preponderance of the evidence that net depletion, if any, will not adversely affect a prior appropriator based on the applicant's mitigation plan or aquifer recharge plan, the department shall issue the permit."

Renumber: subsequent sections

74. Page 36, line 17.

Following: "plans."

Insert: "To ensure that the department and the department of environmental quality are coordinating their respective permitting activities:"

75. Page 36, line 17.

Strike: "An"

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Insert: "an"
Strike: "or a change in appropriation right"
Strike: "15"
Insert: "14"

76. Page 36, line 19.
Strike: ". "
Insert: "; and"

77. Page 36, line 20.
Strike: "The"
Insert: "the"
Strike: "or a change in appropriation right"

78. Page 36, line 21.
Strike: "15"
Insert: "14"

79. Page 36, line 25.
Following: "sewage"
Insert: "from a system requiring a water quality permit"

80. Page 36, line 26.
Strike: "17"
Insert: "16"
Following: "sewage"
Insert: "from a system requiring a water quality permit"

81. Page 36, line 28.
Strike: "17"
Insert: "16"

82. Page 37, line 11.
Following: "part 3,"
Insert: "and 85-2-402,"

83. Page 37, line 12.
Strike: "15"
Insert: "14"

84. Page 37, line 14 through page 38, line 3.
Strike: section 21 in its entirety
Renumber: subsequent sections

85. Page 38, line 8.
Strike: "15"
Insert: "14"
Strike: "17"
Insert: "16"

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86. Page 38, line 18.

Strike: "15"

Insert: "14"

Strike: "and 20 through 22"

Insert: ", 19, and 20"

87. Page 38, line 21.

Strike: "15"

Insert: "14"

Strike: "and 20 through 22"

Insert: ", 19, and 20"

88. Page 39, line 6.

Strike: "16"

Insert: "15"

89. Page 39, line 10.

Strike: "85-2-337"

Insert: "85-2-336"

90. Page 39, line 25.

Strike: "16"

Insert: "15"

91. Page 39, line 29.

Strike: "16"

Insert: "15"

92. Page 40, line 13.

Following: "participation"

Insert: "-- fee"

93. Page 40, line 14 through line 15.

Strike: "or a change" on line 14 through "(17)" on line 15

94. Page 40, line 15.

Strike: "15"

Insert: "14"

Strike: "22"

Insert: "21"

95. Page 40, line 17.

Strike: "24"

Insert: "23"

96. Page 41, line 3.

Strike: "15"

Insert: "14"

97. Page 41, line 10.

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Strike: "and"

98. Page 41, line 13.

Following: "study"

Insert: "; and

(f) to pay a fee of \$15"

99. Page 41, line 15 through line 17.

Strike: section 26 in its entirety

Renumber: subsequent sections

100. Page 41, line 22.

Strike: "16"

Insert: "15"

101. Page 41, line 29.

Insert: "NEW SECTION. Section 27. Repealer. Section 85-2-337, MCA, is repealed."

Renumber: subsequent sections

102. Page 41, line 30.

Strike: "15"

Insert: "14"

Strike: "23"

Insert: "22"

103. Page 42, line 2.

Strike: "15"

Insert: "14"

Strike: "23"

Insert: "22"

104. Page 42, line 12 through line 13.

Strike: "-- retroactive applicability" on line 12

Strike: "(1)" on line 12 through "apply" on line 13

Insert: "[This act] applies"

105. Page 42, line 16 through line 18.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/26/2007

HB 129, introduced by Gallik

HB 284, introduced by Augare

HB 510, introduced by Stahl

HB 579, introduced by Olson

HB 664, introduced by Keane

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House joint resolution concurred in and returned to the House: 3/26/2007
HJR 35, introduced by Ebinger

House bills concurred in, as amended, and returned to the House: 3/26/2007
HB 153, introduced by Jacobson
HB 363, introduced by Ward

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 843, introduced by L. Jones, referred to Taxation.
HB 844, introduced by Barrett, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

SB 110, introduced by Laible (by request of the Education and Local Government Interim Committee), referred to Judiciary.
SB 184, introduced by Hawks, referred to Business and Labor.
SB 287, introduced by Weinberg, Arntzen, Jopek, Harrington, O'Hara, Williams, Murphy, Lewis, Becker, Wanzenried, Cobb, Kaufmann, Sonju, Lind, Ankney, referred to Human Services.
SB 301, introduced by Moss, Hawks, referred to Appropriations.
SB 321, introduced by Brueggeman, referred to Business and Labor.
SB 428, introduced by Kaufmann, K. Peterson, referred to Business and Labor.
SB 475, introduced by Larson, Keane, referred to Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 6 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 87

Noes: Bixby, Caferro, Callahan, Driscoll, Gallik, Jore, Koopman, Phillips, Sinrud, Sonju, Mr. Speaker.
Total 11

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Musgrove, Small-Eastman.
Total 2

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HB 8, requiring a three-fourths vote of each House, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Musgrove.

Total 1

HB 9 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Bergren, Bixby, Blasdel, Callahan, Driscoll, Everett, Gallik, Hamilton, Hawk, Heinert, Jore, Kasten, Koopman, Lange, MacLaren, McGillvray, Mendenhall, Nooney, Phillips, Sinrud, Sonju, Vincent, Wilmer, Witte, Mr. Speaker.

Total 25

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Musgrove, Stahl.

Total 2

HB 69 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner,

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Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Blasdel, Everett, Franklin, Hawk, Ingraham, Jayne, Jore, Koopman, Mendenhall, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 15

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 141 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Blasdel, Everett, Hawk, Ingraham, Jayne, Jore, Kasten, Koopman, Mendenhall, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 15

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 160 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 97

Noes: Jore, Koopman, McGillvray.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 222 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Becker, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Wells, Mr. Speaker.

Total 11

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 368 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Boggio, Butcher, Everett, Hawk, Jore, Kasten, Mendenhall, Wells, Witte, Mr. Speaker.

Total 10

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 519 failed as follows:

Ayes: Ankney, Beck, Bergren, Boggio, Campbell, Clark, Dickenson, Ebinger, Franklin, French, Glaser, Hendrick, Hilbert, Himmelberger, Hiner, L. Jones, W. Jones, Kasten, Klock, Lake, Lambert, Lange, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Olson, Parker, Peterson, Pomnichowski, Reinhart, Ripley, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Ward, Windy Boy, Witte.

Total 43

Noes: Arntzen, Augare, Barrett, Becker, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Driscoll, Dutton, Erickson, Everett, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Jore, Keane, Kerns, Koopman, Kottel, MacLaren, McAlpin, McGillvray, Mendenhall, Noonan, Nooney, O'Hara, Phillips, Raser, Rice, Ross, Sesso, Stoker, Taylor, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 57

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 677 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Barrett, Butcher, Clark, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Rice, Ripley, Ross, Stoker, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Clark, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 798 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 87

Noes: Becker, Callahan, Driscoll, Everett, Gallik, Jore, Koopman, McAlpin, McGillvray, Mendenhall, Phillips, Raser, Van Dyk.
Total 13

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 341 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 97

Noes: Jore, Koopman, Mr. Speaker.
Total 3

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 485 concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Glaser, Ingraham, Jore, Koopman, Lange, McGillvray.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House resumed at 1:30 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 343 - Representative Rice moved **HB 343** do pass.

HB 343 - Representative Rice moved **HB 343**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "PARTICIPATION IN A"

Insert: "PENDING"

2. Page 1, line 21.

Following: "participation in this"

Insert: "pending"

3. Page 1, line 27.

Following: "participate in the"

Insert: "pending"

Amendment adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Gallik, Glaser, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 74

Noes: Bixby, Caferro, Callahan, Dickenson, Erickson, Franklin, Furey, Grinde, Hamilton, Henry, Hollenbaugh, Jayne, Jopek, Keane, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Wilmer, Wilson, Windy Boy, Wiseman.

Total 26

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 343 - Representative Keane moved for cloture. Motion carried.

HB 343 - The motion to pass **HB 343**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 58

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 41

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

SB 77 - Representative Groesbeck moved **SB 77** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Boggio, Mendenhall, Wells.
Total 3

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Barrett.
Total 1

SB 145 - Representative Heinert moved **SB 145** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 90

Noes: Boggio, Everett, Hawk, Ingraham, Jayne, Jore, Kasten, Vincent, Witte.
Total 9

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Lange.
Total 1

SB 164 - Representative Cordier moved **SB 164** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk,

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Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: None.
Total 0

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Lange, MacLaren.
Total 2

SB 170 - Representative Driscoll moved **SB 170** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 92

Noes: Boggio, Everett, Hawk, Jore, Malcolm, Mendenhall, Wells, Mr. Speaker.
Total 8

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 203 - Representative Sands moved **SB 203** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jayne, Ward.
Total 2

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Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Klock.

Total 1

SB 245 - Representative W. Jones moved **SB 245** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Hawk, Jore, Kasten, Koopman, McGillvray, Mendenhall, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 289 - Representative Becker moved **SB 289** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 797 - Representative Lange moved consideration of **HB 797** be placed at the top of the second reading board.
Motion carried.

HB 797 - Representative Ankney moved **HB 797** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 74

Noes: Blasdel, Butcher, Everett, Franklin, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jayne, Jore, Klock, Koopman, Lake, McGillvray, Mendenhall, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Sands, Sonju, Taylor.
Total 25

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Noonan.
Total 1

HB 829 - Representative Lange moved consideration of **HB 829** be placed at the top of the second reading board.
Motion carried.

HB 829 - Representative L. Jones moved **HB 829** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Everett, Jore, Koopman.
Total 3

Voted Absentee: Clark, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 12 - Representative Callahan moved **HB 12** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 91

Noes: Boggio, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall.
Total 7

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Van Dyk, Mr. Speaker.
Total 2

HB 63 - Representative Musgrove moved **HB 63** do pass.

HB 63 - Representative Musgrove moved **HB 63**, second reading copy, be amended as follows:

1. Title, line 16.

Following: "CIRCUMSTANCES;"

Insert: "CLARIFYING THE MAXIMUM AMOUNT OF COMPENSATION A RETIRED MEMBER OF THE TEACHERS' RETIREMENT SYSTEM MAY EARN UNDER CERTAIN CIRCUMSTANCES;"

2. Title, line 17.

Strike: "AND"

Following: "19-20-731;"

Insert: "AND 19-20-731,"

3. Page 13.

Following: line 5

Insert: "Section 10. Section 19-20-731, MCA, is amended to read:

"19-20-731. Postretirement employment limitations -- cancellation and recalculation of benefits. (1)(a)

Except as otherwise provided in this section, a retired member may be employed part-time by a school district, state agency, or unit of the university system in a position eligible to participate in the retirement system and may earn, without an adjustment of retirement benefits, an amount not to exceed the greater of:

(a)(i) one-third of the sum of the member's average final compensation; or

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~~(b)(ii)~~ one-third of the median of the average final compensation for members retired during the preceding fiscal year as determined by the retirement board.

(b) For the purposes of this subsection (1), the maximum compensation that a retired member may earn under subsection (1)(a) without an adjustment of retirement benefits includes all remuneration paid to the retired member, excluding:

- (i) the amount of health insurance premiums paid by the employer on the retired member's behalf;
- (ii) the value of housing provided by the employer to the retired member;
- (iii) the amount of employment-related travel expenses reimbursed to the retired member by the employer;
- (iv) de minimis fringe benefits, as defined in 26 U.S.C. 132(e), paid by the employer to or on behalf of the retired member; and
- (v) payroll taxes paid by the employer on behalf of the retired member.

(2) On July 1 of each year following the member's retirement effective date, the maximum that a retired member may earn under subsection (1)(a) is increased by an amount equal to the consumer price index increase for urban wage earners compiled by the bureau of labor statistics of the United States department of labor or its successor agency in the preceding calendar year.

(3) Except as provided in subsection (5), the retirement benefit of a retired member:

(a) employed in a part-time position or earning more than allowed by subsections (1) and (2) must be temporarily reduced by \$1 for each dollar earned over the maximum allowed. Monthly benefits must be reduced beginning as soon as practical after the excess earnings have been reported to the retirement system by the employer. The retirement benefit must be canceled if the retired member's earnings over the maximum allowed exceed the gross monthly benefit amount.

(b) employed in a full-time position must be canceled beginning in the month in which the retired member returns to full-time employment.

(4) Upon termination and retirement subsequent to a cancellation of benefits pursuant to subsection (3), the retirement benefit of a member:

(a) who was reemployed and earned less than 1 year of creditable service must be reinstated beginning either the first of the month following termination or on July 1 following the date on which the retired member was reemployed, whichever is later. The reinstated retirement benefit is the amount and option that the retired member would have been entitled to receive had the retired member not returned to employment.

(b) who was reemployed and earned at least 1 year of creditable service must be recalculated under 19-20-804 if the member has attained normal retirement age or under 19-20-802 if the member has not attained normal retirement age but is eligible for early retirement. The recalculated benefit is based on the service credit accumulated at the time of the member's previous retirement, plus any service credit accumulated subsequent to reemployment. The recalculated normal form benefit amount must be increased by the amount of any benefit enhancement received pursuant to 19-20-719 that the retired member was receiving when the member's benefits were canceled.

(5) If an early-retired member under 19-20-802 is reemployed with the same employer within 30 days from the member's effective date of retirement or if the early-retired member is guaranteed reemployment with the same employer, the member must be considered to have continued in the status of an active member and not to have separated from service. Any retirement allowance payments received by the member must be repaid to the system, together with interest, at the actuarially assumed rate, and the retirement allowance must be canceled.""

Renumber: subsequent sections

4. Page 13, line 23.

Strike: "10(1)"

Insert: "11(1)"

Amendment adopted as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel,

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Lange, MacLaren, Malcolm, McAlpin, McChesney, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 65

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Everett, French, Glaser, Hawk, Heinert, Hendrick, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, McGillvray, McNutt, Milburn, Olson, Rice, Ripley, Ross, Small-Eastman, Stahl, Stoker, Ward, Wells, Witte.

Total 33

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Sonju, Taylor.

Total 2

HB 63 - Representative Small-Eastman moved **HB 63**, second reading copy, be amended as follows:

1. Title, line 16.

Following: "~~CIRCUMSTANCES~~;"

Insert: "REVISING AND CLARIFYING THE MAXIMUM AMOUNT OF COMPENSATION A RETIRED MEMBER OF THE TEACHERS' RETIREMENT SYSTEM MAY EARN UNDER CERTAIN CIRCUMSTANCES;"

2. Title, line 17.

Strike: "AND"

Following: "~~19-20-731~~;"

Insert: "AND 19-20-731,"

3. Page 13, line 6.

Insert: "**Section 10.** Section 19-20-731, MCA, is amended to read:

"19-20-731. Postretirement employment limitations -- cancellation and recalculation of benefits. (1) (a) Except as otherwise provided in this section, a retired member may be employed part-time by a school district, state agency, or unit of the university system in a position eligible to participate in the retirement system and may earn, without an adjustment of retirement benefits, an amount not to exceed the greater of:

~~(a)~~(i) one-third of the sum of the member's average final compensation; or

~~(b)~~(ii) one-third of the median of the average final compensation for members retired during the preceding fiscal year as determined by the retirement board.

(b) For the purposes of this subsection (1), the maximum compensation that a retired member employed by a school district that has fewer than 370 ANB may earn under subsection (1)(a) without an adjustment of retirement benefits includes all remuneration paid to the retired member, including but not limited to:

(i) annuities;

(ii) allowances for motor vehicles and housing;

(iii) professional membership dues;

(iv) maintenance;

(v) day care;

(vi) reimbursements for nonwork-related motor vehicle, travel, lodging, or entertaining expenses; or

(vii) any similar payment for any form of maintenance, allowance, or expense.

(2) On July 1 of each year following the member's retirement effective date, the maximum that a retired

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member may earn under subsection (1)(a) is increased by an amount equal to the consumer price index increase for urban wage earners compiled by the bureau of labor statistics of the United States department of labor or its successor agency in the preceding calendar year.

(3) Except as provided in subsection (5), the retirement benefit of a retired member:

(a) employed in a part-time position or earning more than allowed by subsections (1) and (2) must be temporarily reduced by \$1 for each dollar earned over the maximum allowed. Monthly benefits must be reduced beginning as soon as practical after the excess earnings have been reported to the retirement system by the employer. The retirement benefit must be canceled if the retired member's earnings over the maximum allowed exceed the gross monthly benefit amount.

(b) employed in a full-time position must be canceled beginning in the month in which the retired member returns to full-time employment.

(4) Upon termination and retirement subsequent to a cancellation of benefits pursuant to subsection (3), the retirement benefit of a member:

(a) who was reemployed and earned less than 1 year of creditable service must be reinstated beginning either the first of the month following termination or on July 1 following the date on which the retired member was reemployed, whichever is later. The reinstated retirement benefit is the amount and option that the retired member would have been entitled to receive had the retired member not returned to employment.

(b) who was reemployed and earned at least 1 year of creditable service must be recalculated under 19-20-804 if the member has attained normal retirement age or under 19-20-802 if the member has not attained normal retirement age but is eligible for early retirement. The recalculated benefit is based on the service credit accumulated at the time of the member's previous retirement, plus any service credit accumulated subsequent to reemployment. The recalculated normal form benefit amount must be increased by the amount of any benefit enhancement received pursuant to 19-20-719 that the retired member was receiving when the member's benefits were canceled.

(5) If an early-retired member under 19-20-802 is reemployed with the same employer within 30 days from the member's effective date of retirement or if the early-retired member is guaranteed reemployment with the same employer, the member must be considered to have continued in the status of an active member and not to have separated from service. Any retirement allowance payments received by the member must be repaid to the system, together with interest, at the actuarially assumed rate, and the retirement allowance must be canceled."

Renumber: subsequent sections

4. Page 13, line 23.

Strike: "10(1)"

Insert: "11(1)"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bixby, Boggio, Butcher, Caferro, Campbell, Clark, Ebinger, Erickson, Franklin, French, Furey, Glaser, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Ingraham, Jayne, L. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 62

Noes: Beck, Becker, Bergren, Blasdel, Branae, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Everett, Gallik, Grinde, Groesbeck, Hawk, Hilbert, Himmelberger, Hollenbaugh, Jacobson, W. Jones, Jore, Keane, Koopman, Lange, Mendenhall, Musgrove, Noonan, Nooney, Raser, Sesso, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.
Total 38

Voted Absentee: Clark, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 63 - The motion to pass **HB 63**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Dutton, Everett, Hawk, Jore, Koopman, Sinrud, Wells, Witte, Mr. Speaker.
Total 9

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Franklin, Jayne, Jore, Koopman, Mendenhall.
Total 5

Excused: Clark.
Total 1

Absent or not voting: Himmelberger, Sesso.
Total 2

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REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

3/27/2007

HB 49, introduced bill, be amended as follows:

1. Page 2, line 6.

Strike: ", with the concurrence of the vice presiding officer"

2. Page 3, line 3.

Strike: "\$30,000"

Insert: "\$20,000"

And, as amended, do pass. Report adopted.

HB 304, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "AMENDING" on line 7 through "MCA;" on line 9

2. Page 1, line 13 through page 2, line 4.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 2.

Following: line 15

Insert: "(c) senate agriculture, livestock, and irrigation;

(d) house agriculture;"

Renumber: subsequent subsections

4. Page 12, line 23.

Following: "DATA"

Insert: "for use by the committee"

5. Page 12, line 25 through line 26.

Strike: section 4 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 574, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "\$500,000"

Insert: "\$50,000"

2. Page 1, line 10.

Strike: "\$500,000"

Insert: "\$50,000"

And, as amended, do pass. Report adopted.

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HB 841, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "April"

Insert: "May"

2. Page 1, line 23.

Strike: "April"

Insert: "May"

And, as amended, do pass. Report adopted.

EDUCATION (Jore, Chairman):

3/27/2007

HB 700, do pass. Report adopted.

HB 732, introduced bill, be amended as follows:

1. Page 1, line 26.

Following: "district"

Insert: "that is a rural school district assigned a distant or remote locale code for a rural area by the national center for education statistics"

2. Page 1, line 28.

Following: "in"

Insert: "a"

Strike: "regions"

Insert: "region"

3. Page 2, line 1.

Following: "K-12"

Insert: "as determined in rules adopted by the board of public education"

4. Page 2, line 2 and line 3.

Following: "district"

Strike: remainder of line 2 through "examinations" on line 3

Insert: "eligible for free and reduced-price meals"

5. Page 2, line 4 through line 9.

Strike: "(a)" on line 4

Following: "means"

Strike: remainder of line 4 through "5" on line 9

Insert: "a person who qualifies for the quality educator payment provided for in 20-9-327 and who has 2"

6. Page 2, line 11 through line 15.

Strike: subsection (b) in its entirety

7. Page 2, line 19.

Following: the second "educator"

Insert: "in high-priority school districts"

8. Page 2, line 21 through line 23.

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Strike: "An" on line 21 through "teacher." on line 23

9. Page 2, line 24 through page 3, line 2.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

10. Page 3, line 23 through line 24.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

11. Page 4, line 5.

Following: "district"

Insert: ", or a quality educator who works in a high-priority school district on July 1, 2007, may exercise the right to the financing options until July 1, 2012"

12. Page 4, line 7.

Strike: "conventional mortgage or"

13. Page 4, line 8.

Strike: "conventional mortgage or"

14. Page 4, line 16.

Following: "department"

Insert: "and the superintendent of public instruction"

15. Page 5, line 14.

Insert: "COORDINATION SECTION. Section 8. Coordination instruction. If Senate Bill No. 152 and [this act] are both passed and approved, then [section 3 of this act] must read as follows:

"NEW SECTION. Section 3. Eligibility for participation -- failure to comply with commitment. (1) Except as provided in subsection (6), participation in the Montana quality educator housing incentive loan program is available to any quality educator in high-priority school districts.

(2) A loan application must be developed by the office of public instruction in consultation with the department.

(3) The office of public instruction shall forward to the department the application of each applicant who meets the eligibility requirements.

(4) A quality educator who receives a loan under the program is required to purchase a house and reside in a county in which the school district for which the quality educator is providing service, or any portion of the school district, is located.

(5) A quality educator who does not provide 5 years of service after receiving a loan is liable to the department for one-fifth of the amount of the loan for each year that the quality educator does not teach, plus interest accruing at the current Stafford loan rate at the time that the quality educator discontinues service. If a claim for repayment under this subsection is placed in the hands of an attorney for collection, the obligor is liable for an additional amount equal to reasonable attorney fees.

(6) A quality educator may participate in the quality educator housing incentive loan program provided for in [sections 1 through 5] or in the quality educator loan forgiveness program provided for in [sections 1 through 6 of Senate Bill No. 152], but may not participate in both."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

TAXATION (Lake, Chairman):

3/27/2007

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HB 488, do pass. Report adopted.

HB 680, do pass. Report adopted.

HB 801, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "MEDICAL"

Insert: "HEALTH"

2. Title, line 6.

Strike: "200"

Insert: "150"

Following: "LEVEL;"

Insert: "AMENDING SECTION 15-30-111, MCA;"

3. Page 1, line 11.

Strike: "medical"

Insert: "health"

Following: "(1)"

Insert: "(a)"

4. Page 1, line 12.

Following: "section,"

Insert: "for tax years beginning after December 31, 2006, and before January 1, 2012,"

5. Page 1, line 13.

Strike: "insurance" through "213(d),"

Insert: "individual health insurance coverage, as defined in 33-22-140,"

6. Page 1, line 14 through line 16.

Following: "dependents" on line 14

Insert: ". "

Strike: "to" on line 14 through "20" on line 16

Insert: "(b) The following premium payments do not qualify for the credit under this section:

(i) premium payments for excepted benefits, as defined in 33-22-140;

(ii) premium payments made under subchapter XVIII, parts A through D, 42 U.S.C. 1395c through 1395ggg;

(iii) premium payments made under subchapter XIX, 42 U.S.C. 1396a through 1396v; or

(iv) premium payments that are covered or reimbursed in any amount by other sources, including subsidies or another tax credit allowed under this chapter"

7. Page 1, line 18.

Strike: "200% "

Insert: "150% "

8. Page 1, line 19.

Strike: "medical"

Insert: "health"

9. Page 1, line 23.

Following: "allowed."

Insert: "A credit may not be claimed for premiums paid from a health or medical savings account with principal or

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interest that is excluded from adjusted gross income."

10. Page 1, line 24.

Strike: "claimant's"

Insert: "taxpayer's"

11. Page 1, line 25.

Strike: the first "claimant"

Insert: "taxpayer"

Strike: the second "claimant"

Insert: "taxpayer"

12. Page 1.

Following: line 26

Insert: "(6) The credit is not allowed for part-year residents or nonresidents of the state."

Renumber: subsequent subsection

13. Page 1.

Following: line 30

Insert: "Section 2. Section 15-30-111, MCA, is amended to read:

"15-30-111. Adjusted gross income. (1) Adjusted gross income is the taxpayer's federal adjusted gross income as defined in section 62 of the Internal Revenue Code, 26 U.S.C. 62, and in addition includes the following:

(a) (i) interest received on obligations of another state or territory or county, municipality, district, or other political subdivision of another state, except to the extent that the interest is exempt from taxation by Montana under federal law;

(ii) exempt-interest dividends as defined in section 852(b)(5) of the Internal Revenue Code, 26 U.S.C. 852(b)(5), that are attributable to the interest referred to in subsection (1)(a)(i);

(b) refunds received of federal income tax, to the extent that the deduction of the tax resulted in a reduction of Montana income tax liability;

(c) that portion of a shareholder's income under subchapter S. of Chapter 1 of the Internal Revenue Code that has been reduced by any federal taxes paid by the subchapter S. corporation on the income;

(d) depreciation or amortization taken on a title plant as defined in 33-25-105;

(e) the recovery during the tax year of an amount deducted in any prior tax year to the extent that the amount recovered reduced the taxpayer's Montana income tax in the year deducted;

(f) if the state taxable distribution of an estate or trust is greater than the federal taxable distribution of the same estate or trust, the difference between the state taxable distribution and the federal taxable distribution of the same estate or trust for the same tax period; and

(g) except for exempt-interest dividends described in subsection (2)(a)(ii), for tax years commencing after December 31, 2002, the amount of any dividend to the extent that the dividend is not included in federal adjusted gross income.

(2) Notwithstanding the provisions of the Internal Revenue Code, adjusted gross income does not include the following, which are exempt from taxation under this chapter:

(a) (i) all interest income from obligations of the United States government, the state of Montana, or a county, municipality, district, or other political subdivision of the state and any other interest income that is exempt from taxation by Montana under federal law;

(ii) exempt-interest dividends as defined in section 852(b)(5) of the Internal Revenue Code, 26 U.S.C. 852(b)(5), that are attributable to the interest referred to in subsection (2)(a)(i);

(b) interest income earned by a taxpayer who is 65 years of age or older in a tax year up to and including \$800 for a taxpayer filing a separate return and \$1,600 for each joint return;

(c) (i) except as provided in subsection (2)(c)(ii), the first \$3,600 of all pension and annuity income received as defined in 15-30-101;

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(ii) for pension and annuity income described under subsection (2)(c)(i), as follows:

(A) each taxpayer filing singly, head of household, or married filing separately shall reduce the total amount of the exclusion provided in subsection (2)(c)(i) by \$2 for every \$1 of federal adjusted gross income in excess of \$30,000 as shown on the taxpayer's return;

(B) in the case of married taxpayers filing jointly, if both taxpayers are receiving pension or annuity income or if only one taxpayer is receiving pension or annuity income, the exclusion claimed as provided in subsection (2)(c)(i) must be reduced by \$2 for every \$1 of federal adjusted gross income in excess of \$30,000 as shown on their joint return;

(d) all Montana income tax refunds or tax refund credits;

(e) gain required to be recognized by a liquidating corporation under 15-31-113(1)(a)(ii);

(f) all tips or gratuities that are covered by section 3402(k) or service charges that are covered by section 3401 of the Internal Revenue Code of 1954, 26 U.S.C. 3402(k) or 3401, as amended and applicable on January 1, 1983, received by ~~persons~~ a person for rendering services ~~rendered by them~~ to patrons of premises licensed to provide food, beverage, or lodging;

(g) all benefits received under the workers' compensation laws;

(h) all health insurance premiums paid by an employer for an employee if attributed as income to the employee under federal law;

(i) all money received because of a settlement agreement or judgment in a lawsuit brought against a manufacturer or distributor of "agent orange" for damages resulting from exposure to "agent orange";

(j) principal and income in a medical care savings account established in accordance with 15-61-201 or withdrawn from an account for eligible medical expenses, as defined in 15-61-102, of the taxpayer or a dependent of the taxpayer or for the long-term care of the taxpayer or a dependent of the taxpayer;

(k) principal and income in a first-time home buyer savings account established in accordance with 15-63-201 or withdrawn from an account for eligible costs, as provided in 15-63-202(7), for the first-time purchase of a single-family residence;

(l) contributions withdrawn from a family education savings account or earnings withdrawn from a family education savings account for qualified higher education expenses, as defined in 15-62-103, of a designated beneficiary;

(m) the recovery during the tax year of any amount deducted in any prior tax year to the extent that the recovered amount did not reduce the taxpayer's Montana income tax in the year deducted;

(n) if the federal taxable distribution of an estate or trust is greater than the state taxable distribution of the same estate or trust, the difference between the federal taxable distribution and the state taxable distribution of the same estate or trust for the same tax period;

(o) deposits, not exceeding the amount set forth in 15-30-603, deposited in a Montana farm and ranch risk management account, as provided in 15-30-601 through 15-30-605, in any tax year for which a deduction is not provided for federal income tax purposes;

(p) income of a dependent child that is included in the taxpayer's federal adjusted gross income pursuant to the Internal Revenue Code. The child is required to file a Montana personal income tax return if the child and taxpayer meet the filing requirements in 15-30-142.

(q) principal and income deposited in a health care expense trust account, as defined in 2-18-1303, or withdrawn from the account for payment of qualified health care expenses as defined in 2-18-1303; and

(r) that part of the refundable credit provided in [section 1] or 33-22-2006 that reduces Montana tax below zero.

(3) A shareholder of a DISC that is exempt from the corporation license tax under 15-31-102(1)(l) shall include in the shareholder's adjusted gross income the earnings and profits of the DISC in the same manner as provided by section 995 of the Internal Revenue Code, 26 U.S.C. 995, for all periods for which the DISC election is effective.

(4) A taxpayer who, in determining federal adjusted gross income, has reduced the taxpayer's business deductions by an amount for wages and salaries for which a federal tax credit was elected under sections 38 and 51(a) of the Internal Revenue Code, 26 U.S.C. 38 and 51(a), is allowed to deduct the amount of the wages and salaries paid regardless of the credit taken. The deduction must be made in the year that the wages and salaries were used to

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compute the credit. In the case of a partnership or small business corporation, the deduction must be made to determine the amount of income or loss of the partnership or small business corporation.

(5) Married taxpayers filing a joint federal return who are required to include part of their social security benefits or part of their tier 1 railroad retirement benefits in federal adjusted gross income may split the federal base used in calculation of federal taxable social security benefits or federal taxable tier 1 railroad retirement benefits when they file separate Montana income tax returns. The federal base must be split equally on the Montana return.

(6) A taxpayer receiving retirement disability benefits who has not attained 65 years of age by the end of the tax year and who has retired as permanently and totally disabled may exclude from adjusted gross income up to \$100 a week received as wages or payments in lieu of wages for a period during which the employee is absent from work due to the disability. If the adjusted gross income before this exclusion exceeds \$15,000, the excess reduces the exclusion by an equal amount. This limitation affects the amount of exclusion, but not the taxpayer's eligibility for the exclusion. If eligible, married individuals shall apply the exclusion separately, but the limitation for income exceeding \$15,000 is determined with respect to the spouses on their combined adjusted gross income. For the purpose of this subsection, "permanently and totally disabled" means unable to engage in any substantial gainful activity by reason of any medically determined physical or mental impairment lasting or expected to last at least 12 months.

(7) Married taxpayers who file a joint federal return and who make an election on the federal return to defer income ratably for 4 tax years because of a conversion from an IRA other than a Roth IRA to a Roth IRA, pursuant to section 408A(d)(3) of the Internal Revenue Code, 26 U.S.C. 408A(d)(3), may file separate Montana income tax returns to defer the full taxable conversion amount from Montana adjusted gross income for the same time period. The deferred amount must be attributed to the taxpayer making the conversion.

(8) An individual who contributes to one or more accounts established under the Montana family education savings program may reduce adjusted gross income by the lesser of \$3,000 or the amount of the contribution. In the case of married taxpayers, each spouse is entitled to a reduction, not in excess of \$3,000, for the spouses' contributions to the accounts. Spouses may jointly elect to treat half of the total contributions made by the spouses as being made by each spouse. The reduction in adjusted gross income under this subsection applies only with respect to contributions to an account of which the account owner, as defined in 15-62-103, is the taxpayer, the taxpayer's spouse, or the taxpayer's child or stepchild if the taxpayer's child or stepchild is a Montana resident. The provisions of subsection (1)(e) do not apply with respect to withdrawals of contributions that reduced adjusted gross income.

(9) (a) A taxpayer may exclude the amount of the loan payment received pursuant to subsection (9)(a)(iv), not to exceed \$5,000, from the taxpayer's adjusted gross income if the taxpayer:

- (i) is a health care professional licensed in Montana as provided in Title 37;
- (ii) is serving a significant portion of a designated geographic area, special population, or facility population in a federally designated health professional shortage area, a medically underserved area or population, or a federal nursing shortage county as determined by the secretary of health and human services or by the governor;
- (iii) has had a student loan incurred as a result of health-related education; and
- (iv) has received a loan payment during the tax year made on the taxpayer's behalf by a loan repayment program described in subsection (9)(b) as an incentive to practice in Montana.

(b) For the purposes of subsection (9)(a), a loan repayment program includes a federal, state, or qualified private program. A qualified private loan repayment program includes a licensed health care facility, as defined in 50-5-101, that makes student loan payments on behalf of the person who is employed by the facility as a licensed health care professional. (Subsection (2)(f) terminates on occurrence of contingency--sec. 3, Ch. 634, L. 1983; subsection (2)(o) terminates on occurrence of contingency--sec. 9, Ch. 262, L. 2001.)"

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 823, do pass. Report adopted.

HB 826, do pass. Report adopted.

HB 463, introduced bill, be amended as follows:

1. Title, line 13.

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Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE"

2. Page 3, line 5 through line 6.

Strike: "property" on line 5 through "liability" on line 6

Insert: "taxable value"

3. Page 3, line 15.

Strike: "Application"

Insert: "Preapplication consultation -- application"

Strike: "In"

Insert: "Before filing an application under subsection (2) for the abatement described in [section 3], the taxpayer shall notify the governing body of its intent to file an application. After the notification, the local governing body shall conduct a meeting with the representatives of the governing body, the taxpayer, the governor's office of economic development, the department, and the local or regional economic development organization for the purpose of planning for the implications of the taxpayer applying for the abatement.

(2) Subject to subsection (1), in"

Renumber: subsequent subsections

4. Page 4, line 3.

Strike: "(3)"

Insert: "(4)"

5. Page 4, line 4.

Following: "abatement"

Insert: "within 30 days of receipt of notice"

6. Page 5, line 1.

Strike: "construction" through "issued"

Insert: "resolution has been approved for the project under subsection (2)(a)"

7. Page 5, line 17.

Strike: "abated" through "reduction"

Insert: "reduced by the abatement"

8. Page 6, line 3.

Following: "section."

Insert: "The department shall make a determination under this subsection within 30 days from the date that the governing body approves a resolution under subsection (2)."

9. Page 6, line 4.

Strike: "tax benefit"

Insert: "abatement in taxable value"

10. Page 6, line 7.

Strike: "benefit"

Insert: "abatement in taxable value"

11. Page 13.

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Following: line 6

Insert: "COORDINATION SECTION. **Section 15. Coordination instruction.** If House Bill No. 529 is not passed and approved, then [this act] is void."

Renumber: subsequent section

12. Page 13.

Following: line 9

Insert: "NEW SECTION. **Section 17. Effective date.** [This act] is effective on passage and approval."

Insert: "NEW SECTION. **Section 18. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to property tax years beginning after December 31, 2006."

And, as amended, do pass. Report adopted.

MOTIONS

Majority Leader Lange moved to reconsider actions taken on **HB 8** and that it be re-referred to the Committee on Taxation. There being no objections, so ordered.

Majority Leader Lange moved that **HB 801** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 797** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 700** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **HB 63** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 161** be re-referred to the Committee on Appropriations. There being no objections, so ordered.

Representative Groesbeck moved that **HB 539** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Driscoll, Everett, Glaser, Hawk, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 40

Excused: Clark.

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Total 1

Absent or not voting: None.

Total 0

Representative Dickenson moved that **HB 294** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Gallik moved that **HB 817** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Excused: Clark.

Total 1

Absent or not voting: McChesney.

Total 1

Representative Sesso moved that **HB 495** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

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Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 47

Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

Representative Windy Boy moved that **HB 511** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 48

Excused: Clark.
Total 1

Absent or not voting: Blasdel, Thomas.
Total 2

Representative Villa moved that **HB 331** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Jopek moved that **HB 201** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark.

Total 1

Absent or not voting: None.

Total 0

Representative Peterson moved that **HB 799** be taken from the table in the Committee on Taxation, be printed and placed on second reading on the 66th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Bergren, Bixby, Caferro, Callahan, Cohenour, Cordier, Erickson, Franklin, French, Furey, Gallik, Hamilton, Hands, Hendrick, Henry, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, Musgrove, O'Hara, Peterson, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Windy Boy, Wiseman.

Total 35

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Dickenson, Driscoll, Dutton, Ebinger, Everett, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Phillips, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 64

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Excused: Clark.
Total 1

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

HB 843, introduced by L. Jones, the following sponsors were added:
Reps. Augare, Groesbeck, Keane, Kottel, Lake, Olson, Ripley, Ross, Sonju, Thomas.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House stand at recess until 6:15 p.m. Motion carried

House adjourned at 4:15 p.m.

House resumed at 6:15 p.m. Mr. Speaker in the chair. Quorum present except for Representative Clark, excused.

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Himmelberger in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 95 - Representative Olson moved **HB 95** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 90

Noes: Blasdel, Everett, Hawk, Jore, Kerns, Koopman, Mendenhall, Wells, Witte, Mr. Speaker.
Total 10

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 125 - Representative Kasten moved **HB 125** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wilson, Windy Boy.
Total 62

Noes: Augare, Bergren, Bixby, Caferro, Callahan, Campbell, Cordier, Everett, Furey, Groesbeck, Hollenbaugh, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, McGillvray, Mendenhall, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Sonju, Villa, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.
Total 38

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 536 - Representative Windy Boy moved **SB 536** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 81

Noes: Caferro, Callahan, Erickson, Gallik, Grinde, Groesbeck, Hamilton, Hands, Jopek, McAlpin, Peterson, Pomnichowski, Raser, Reinhart, Sands, Sesso, Wilmer, Wiseman.
Total 18

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

Representative L. Jones was **excused** at this time.

SB 206 - Representative Thomas moved **SB 206** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour,

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Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Noes: Arntzen, Barrett, Beck, Blasdel, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Clark, Aye; L. Jones, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 339 - Representative Mendenhall moved **SB 339** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Peterson.

Total 1

Voted Absentee: Clark, L. Jones, Ayes.

Excused: None.

Total 0

Absent or not voting: Franklin, Olson.

Total 2

SB 466 - Representative Mendenhall moved **SB 466** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice,

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Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 95

Noes: Campbell, Dickenson, Franklin.

Total 3

Voted Absentee: Clark, L. Jones, Ayes.

Excused: None.

Total 0

Absent or not voting: Hilbert, Mr. Speaker.

Total 2

SB 467 - Representative Stahl moved **SB 467** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Franklin, Gallik, Van Dyk, Wilson, Windy Boy.

Total 6

Voted Absentee: Clark, L. Jones, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 537 - Representative Stahl moved **SB 537** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 62

Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Clark, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Grinde, Hands, Hollenbaugh, Jacobson, Jayne, W. Jones, MacLaren, McAlpin, Musgrove, Noonan, Nooney, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 38

Voted Absentee: L. Jones, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Himmelberger moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 82

Noes: Becker, Bergren, Callahan, Erickson, Franklin, Gallik, McGillvray, Musgrove, Raser, Van Dyk, Villa, Windy Boy, Wiseman.

Total 13

Excused: Clark, L. Jones.

Total 2

Absent or not voting: Hollenbaugh, Phillips, Sesso.

Total 3

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

3/27/2007

HB 418, do pass. Report adopted.

HB 797, do pass. Report adopted.

TAXATION (Lake, Chairman):

SB 161, be amended as follows:

1. Page 5, line 16.

Strike: "Ten"

Insert: "Five"

And, as amended, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

HJR 49, introduced by Thomas, the following sponsors were added:

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Reps. Boggio, Driscoll, Himmelberger, L. Jones, Klock, Rice, Stahl, Windy Boy.

MOTIONS

Majority Leader Lange moved that **SB 206** be re-referred to the committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, March 28, 2007. Motion carried.

House adjourned at 7:35 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
SIXTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 28, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Bixby. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/27/2007

Correctly printed: **HB 418, HB 488, HB 680, HB 700, HB 823, HB 826, SB 312.**

Delivered to the Governor for approval at 9:30 a.m., March 28, 2007: **HB 92, HB 105, HB 177, HB 207, HB 400, HB 521.**

Signed by the President at 4:30 p.m., March 27, 2007: **HB 22, HB 503, HB 555, HB 703.**

Correctly printed: **HB 797, HJR 49.**

3/28/2007

Correctly engrossed: **HB 8, HB 63, HB 529, HB 539, HB 330, HB 822, SB 92, SB 153, SB 165, SB 270, HJR 51, SB 71, SB 161.**

Correctly enrolled: **HB 37, HB 532, HB 756, HB 789.**

Examined by the sponsor and found to be correct: **HB 37, HB 91, HB 532, HB 756, HB 789.**

Delivered to the Governor for approval at 2:30 p.m., March 28, 2007: **HB 22, HB 503, HB 555, HB 703.**

Signed by the Chief Clerk of the House at 10:00 a.m., March 28, 2007: **HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770, HB 795, HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664.**

Signed by the Speaker at 2:15 p.m., March 28, 2007: **HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770.**

Signed by the Speaker at 2:30 p.m., March 28, 2007: **HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664.**

Correctly printed: **HB 828, SB 47, SB 114, SB 169, SB 177, SB 193, SB 224, SB 243, SB 246, SB 279, SB 282, SB 285, SB 299, SB 367, SB 403, SB 440, SB 453, SB 459, SB 480, SB 502, SB 517, SB 532, SB 538, SJR 2, SJR 6, SJR 7, SJR 24.**

APPROPRIATIONS (Sinrud, Chairman):

3/28/2007

HB 63, introduced bill, be amended as follows:

1. Page 13, line 17 through line 26.

Strike: subsection (b) in its entirety

Renumber: subsequent subsection

2. Page 15, line 9.

Strike: "\$100"

Insert: "\$50"

And, as amended, do pass. Report adopted.

HB 330, introduced bill, be amended as follows:

1. Title, line 12 through 13.

Strike: "REQUIRING" on line 12 through "ASSISTANCE"; on line 13"

2. Page 2, line 15.

Strike: "21"

Insert: "19"

3. Page 2, line 19.

Strike: "21"

Insert: "19"

4. Page 2, line 23.

Strike: "21"

Insert: "19"

5. Page 7, line 2.

Strike: "21"

Insert: "19"

6. Page 7, line 8.

Strike: "21"

Insert: "19"

7. Page 7, line 18.

Strike: "21"

Insert: "19"

8. Page 7, line 19.

Strike: "21"

Insert: "19"

9. Page 8, line 12.

Strike: "21"

Insert: "19"

10. Page 8, line 17.

Strike: "21"

Insert: "19"

11. Page 8, line 24.

Strike: "21"

Insert: "19"

12. Page 9, line 4.

Strike: "21"

Insert: "19"

13. Page 9, line 6.

Strike: "21"

Insert: "19"

14. Page 9, line 12.

Strike: "21"

Insert: "19"

15. Page 9, line 16.

Strike: "21"

Insert: "19"

16. Page 9, line 25.

Strike: "21"

Insert: "19"

17. Page 9, line 27.

Strike: "21"

Insert: "19"

18. Page 9, line 30 through page 10, line 20.

Strike: section 19 through section 20 in their entirety

Renumber: subsequent sections

19. Page 10, line 22.

Strike: "21"

Insert: "19"

20. Page 10, line 24.

Strike: "21"

Insert: "19"

21. Page 10, line 25.

Strike: "21"

Insert: "19"

22. Page 10, line 27.

Strike: "\$300,000"

Insert: "\$10"

23. Page 10, line 28 through page 11, line 1.

Strike: "TO CONDUCT" on page 10, line 28 through "ASSISTANCE" on page 11, line 1

Insert: "for administrative costs"

24. Page 11, line 3.

Strike: "21"

Insert: "19"

25. Page 11, line 5.

Strike: "21"

Insert: "19"

26. Page 11, line 9 through line 10.

Strike: "[SECTIONS" on line 9 through "ARE" on line 10

Insert: "Except as provided in subsection (2), [this act] is"

27. Page 11, line 11.

Strike: "[SECTIONS 19, 20, AND 22] ARE"

Insert: "[Section 20] is"

And, as amended, do pass. Report adopted.

HB 529, introduced bill, be amended as follows:

1. Title, line 6 through line 7.

Strike: "TAXING" on line 6 through "JURISDICTIONS" on line 7

Insert: "GOVERNMENTS AND TAX INCREMENT FINANCING DISTRICTS UNDER THE ENTITLEMENT SHARE PAYMENT AND TO SCHOOL DISTRICTS UNDER THE SCHOOL DISTRICT BLOCK GRANTS"

2. Title, line 8 through line 9.

Strike: "PROVIDING" on line 8 through "2009;" on line 9

3. Title, line 10.

Following: "7-1-2111,"

Insert: "15-1-121,"

Strike: "AND"

Following: "20-9-406,"

Insert: "AND 20-9-630,"

4. Page 1, line 18.

Strike: "taxing jurisdiction"

Insert: "local government, as defined in 15-1-121(4), each school district, and each tax increment financing district"

5. Page 1, line 19.

Strike: "3"

Insert: "4"

6. Page 1, line 21.

Strike: "3"

Insert: "4"

Strike: "TAXING JURISDICTION"

Insert: "local government, school district, and tax increment financing district"

7. Page 1, line 22 through page 2, line 15.

Strike: subsection (2) through subsection (6) in their entirety

Insert: "(2) (a) The department shall distribute the reimbursement to local governments with the entitlement distributions to local governments under 15-1-121(6), and the office of public instruction shall distribute the reimbursement to school districts with block grants pursuant to 20-9-630(2).

(b) For fiscal year 2008, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each local government and for each school district. By June 15, 2008, the department shall distribute the amount determined under this subsection (2)(b) for local governments as provided in 15-1-121(5)(a). By June 15, 2008, the office of public instruction shall distribute the amount determined under this subsection (2)(b) as a block grant under 20-9-630.

(3) (a) The amount determined under subsection (1) for each tax increment financing district must be added to the entitlement share amount for the tax increment financing district as provided in 15-1-121(7)(b) if the tax increment finance district is still in existence. If a tax increment financing district that is entitled to a reimbursement under this section is not listed under 15-1-121(7), the reimbursement must be made to that tax increment financing

district at the same time as other districts.

(b) For fiscal year 2008, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each tax increment financing district. By June 15, 2008, the department shall distribute the amount determined under this subsection (3)(b) to each tax increment financing district as provided in 15-1-121(7)(b) and to any other tax increment financing district that is entitled to a reimbursement under this section."

8. Page 3, following line 19.

Insert: "Section 3. Section 15-1-121, MCA, is amended to read:

"15-1-121. Entitlement share payment -- appropriation. (1) As described in 15-1-120(3), each local government is entitled to an annual amount that is the replacement for revenue received by local governments for diminishment of property tax base and various earmarked fees and other revenue that, pursuant to Chapter 574, Laws of 2001, amended by section 4, Chapter 13, Special Laws of August 2002, and later enactments, was consolidated to provide aggregation of certain reimbursements, fees, tax collections, and other revenue in the state treasury with each local government's share. The reimbursement under this section is provided by direct payment from the state treasury rather than the ad hoc system that offset certain state payments with local government collections due the state and reimbursements made by percentage splits, with a local government remitting a portion of collections to the state, retaining a portion, and in some cases sending a portion to other local governments. The amount calculated pursuant to this subsection, as adjusted pursuant to subsection (3)(a)(i), is each local government's base entitlement share. The department shall estimate the total amount of revenue that each local government received from the following sources for the fiscal year ending June 30, 2001:

- ~~_____ (a) personal property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter 584, Laws of 1999;~~
- ~~_____ (b) vehicle, boat, and aircraft taxes and fees pursuant to:~~
 - ~~_____ (i) Title 23, chapter 2, part 5;~~
 - ~~_____ (ii) Title 23, chapter 2, part 6;~~
 - ~~_____ (iii) Title 23, chapter 2, part 8;~~
 - ~~_____ (iv) 61-3-317;~~
 - ~~_____ (v) 61-3-321;~~
 - ~~_____ (vi) Title 61, chapter 3, part 5, except for 61-3-509(3), as that subsection read prior to the amendment of 61-3-509 in 2001;~~
 - ~~_____ (vii) Title 61, chapter 3, part 7;~~
 - ~~_____ (viii) 5% of the fees collected under 61-10-122;~~
 - ~~_____ (ix) 61-10-130;~~
 - ~~_____ (x) 61-10-148, and~~
 - ~~_____ (xi) 67-3-205;~~
- ~~_____ (c) gaming revenue pursuant to Title 23, chapter 5, part 6, except for the permit fee in 23-5-612(2)(a);~~
- ~~_____ (d) district court fees pursuant to:~~
 - ~~_____ (i) 25-1-201, except those fees in 25-1-201(1)(d), (1)(g), and (1)(j);~~
 - ~~_____ (ii) 25-1-202;~~
 - ~~_____ (iii) 25-1-1103;~~
 - ~~_____ (iv) 25-9-506; and~~
 - ~~_____ (v) 27-9-103;~~
- ~~_____ (e) certificate of title fees for manufactured homes pursuant to 15-1-116;~~
- ~~_____ (f) financial institution taxes collected pursuant to the former provisions of Title 15, chapter 31, part 7;~~
- ~~_____ (g) all beer, liquor, and wine taxes pursuant to:~~
 - ~~_____ (i) 16-1-404;~~
 - ~~_____ (ii) 16-1-406; and~~
 - ~~_____ (iii) 16-1-411;~~
- ~~_____ (h) late filing fees pursuant to 61-3-220;~~
- ~~_____ (i) title and registration fees pursuant to 61-3-203;~~
- ~~_____ (j) veterans' cemetery license plate fees pursuant to 61-3-459;~~

~~(k) county personalized license plate fees pursuant to 61-3-406;~~
~~(l) special mobile equipment fees pursuant to 61-3-431;~~
~~(m) single movement permit fees pursuant to 61-4-310;~~
~~(n) state aeronautics fees pursuant to 67-3-101; and~~
~~(o) department of natural resources and conservation payments in lieu of taxes pursuant to Title 77, chapter 1, part 5.~~

~~(2) (a) From the amounts estimated in subsection (1) for each county government, the department shall deduct fiscal year 2001 county government expenditures for district courts, less reimbursements for district court expenses, and fiscal year 2001 county government expenditures for public welfare programs to be assumed by the state in fiscal year 2002.~~

~~(b)(2) The total amount estimated pursuant to subsections (1) and (2)(a) received in fiscal year 2007 as an entitlement share payment under this section is the base component for the fiscal year 2008 distribution, and in each subsequent year the prior year entitlement share payment, including any reimbursement payments received pursuant to subsection (6), is each local government's base year component. The sum of all local governments' base year components is the base fiscal year entitlement share pool. For the purpose of calculating the sum of all local governments' base year components, the base year component for a local government may not be less than zero.~~

(3) (a) The base year entitlement share pool must be increased annually by a growth rate as provided for in this subsection (3). The amount determined through the application of annual growth rates is the entitlement share pool for each fiscal year. By October 1 of each even-numbered year, the department shall calculate the growth rate of the entitlement share pool for each year of the next biennium in the following manner:

(i) Before applying the growth rate for fiscal year 2007 to determine the fiscal year 2007 entitlement share payments, the department shall subtract from the fiscal year 2006 entitlement share payments the following amounts:

Beaverhead	\$6,972
Big Horn	\$52,551
Blaine	\$13,625
Broadwater	\$2,564
Carbon	\$11,537
Carter	\$407
Cascade	\$157,151
Chouteau	\$3,536
Custer	\$7,011
Daniels	\$143
Dawson	\$3,893
Fallon	\$1,803
Fergus	\$9,324
Flathead	\$33,655
Gallatin	\$222,029
Garfield	\$91
Glacier	\$3,035
Golden Valley	\$2,282
Granite	\$4,554
Hill	\$31,740
Jefferson	\$5,700
Judith Basin	\$1,487
Lake	\$38,314
Lewis and Clark	\$247,886
Liberty	\$152
Lincoln	\$3,759
Madison	\$8,805
McCone	\$1,651
Meagher	\$2,722
Mineral	\$2,361

Missoula	\$172,600
Musselshell	\$23,275
Park	\$6,582
Petroleum	\$36
Phillips	\$653
Pondera	\$10,270
Powder River	\$848
Powell	\$5,146
Prairie	\$717
Ravalli	\$93,090
Richland	\$3,833
Roosevelt	\$9,526
Rosebud	\$19,971
Sanders	\$30,712
Sheridan	\$271
Stillwater	\$12,117
Sweet Grass	\$2,463
Teton	\$5,560
Toole	\$7,113
Treasure	\$54
Valley	\$6,899
Wheatland	\$918
Wibaux	\$72
Yellowstone	\$266,644
Anaconda-Deer Lodge	\$20,707
Butte-Silver Bow	\$53,057
Alberton	\$675
Bainville	\$258
Baker	\$2,828
Bearcreek	\$143
Belgrade	\$11,704
Belt	\$1,056
Big Sandy	\$1,130
Big Timber	\$2,910
Billings	\$163,499
Boulder	\$2,340
Bozeman	\$52,805
Bridger	\$1,303
Broadus	\$766
Broadview	\$258
Brockton	\$414
Browning	\$1,830
Cascade	\$1,374
Chester	\$1,430
Chinook	\$2,275
Choteau	\$3,050
Circle	\$1,018
Clyde Park	\$572
Colstrip	\$4,090
Columbia Falls	\$6,805
Columbus	\$3,245
Conrad	\$4,562

Culbertson — \$1,216
 Cut Bank — \$5,316
 Darby — \$1,348
 Deer Lodge — \$5,708
 Denton — \$503
 Dillon — \$6,928
 Dodson — \$194
 Drummond — \$561
 Dutton — \$661
 East Helena — \$2,888
 Ekalaka — \$689
 Ennis — \$1,518
 Eureka — \$1,733
 Fairfield — \$1,120
 Fairview — \$1,152
 Flaxville — \$143
 Forsyth — \$3,286
 Fort Benton — \$2,579
 Fort Peck — \$393
 Froid — \$328
 Fromberg — \$855
 Geraldine — \$457
 Glasgow — \$5,361
 Glendive — \$8,099
 Grass Range — \$254
 Great Falls — \$96,422
 Hamilton — \$7,148
 Hardin — \$5,920
 Harlem — \$1,422
 Harlowton — \$1,678
 Havre — \$16,223
 Helena — \$45,877
 Hingham — \$263
 Hobson — \$397
 Hot Springs — \$912
 Hysham — \$482
 Ismay — \$43
 Joliet — \$1,006
 Jordan — \$606
 Judith Gap — \$263
 Kalispell — \$28,144
 Kevin — \$304
 Laurel — \$10,804
 Lavina — \$361
 Lewistown — \$10,170
 Libby — \$4,475
 Lima — \$397
 Livingston — \$12,145
 Lodge Grass — \$889
 Malta — \$3,389
 Manhattan — \$2,485
 Medicine Lake — \$410

Melstone	\$234
Miles City	\$14,152
Missoula	\$104,264
Moore	\$319
Nashua	\$536
Neihart	\$149
Opheim	\$180
Outlook	\$125
Philipsburg	\$1,612
Pinesdale	\$1,413
Plains	\$2,007
Plentywood	\$3,185
Plevna	\$225
Poison	\$7,722
Poplar	\$1,544
Red Lodge	\$3,903
Rexford	\$263
Richey	\$309
Ronan	\$3,262
Roundup	\$3,280
Ryegate	\$465
Saco	\$354
Scobey	\$1,798
Shelby	\$5,677
Sheridan	\$1,150
Sidney	\$7,747
Stanford	\$737
Stevensville	\$3,063
St. Ignatius	\$1,367
Sunburst	\$709
Superior	\$1,521
Terry	\$1,011
Thompson Falls	\$2,272
Three Forks	\$3,130
Townsend	\$3,286
Troy	\$1,654
Twin Bridges	\$695
Valier	\$817
Virginia City	\$223
Walkerville	\$1,183
West Yellowstone	\$2,083
Westby	\$263
White Sulphur Springs	\$1,734
Whitefish	\$9,932
Whitehall	\$1,889
Wibaux	\$893
Winifred	\$259
Winnett	\$314
Wolf Point	\$4,497

(ii)(i) The department shall calculate the average annual growth rate of the Montana gross state product, as published by the bureau of economic analysis of the United States department of commerce, for the following periods:

(A) the last 4 calendar years for which the information has been published; and

(B) the 4 calendar years beginning with the year before the first year in the period referred to in subsection ~~(3)(a)(ii)(A)~~ (3)(a)(i)(A).

~~(iii)(ii)~~ (ii) The department shall calculate the average annual growth rate of Montana personal income, as published by the bureau of economic analysis of the United States department of commerce, for the following periods:

(A) the last 4 calendar years for which the information has been published; and

(B) the 4 calendar years beginning with the year before the first year in the period referred to in subsection ~~(3)(a)(iii)(A)~~ (3)(a)(ii)(A).

(b) ~~(i)~~ The entitlement share pool growth rate for ~~the first each year of the biennium~~ must be the following percentage of the average of the growth rates calculated in subsections ~~(3)(a)(ii)(B)~~ (3)(a)(i)(B) and ~~(3)(a)(iii)(B)~~ (3)(a)(ii)(B):

~~(A)(i)~~ (i) for counties, 54% ;

~~(B)(ii)~~ (ii) for consolidated local governments, 62% ; and

~~(C)(iii)~~ (iii) for incorporated cities and towns, 70% .

(ii) The entitlement share pool growth rate for ~~the second year of the biennium~~ must be the following percentage of the average of the growth rates calculated in subsections ~~(3)(a)(ii)(A)~~ and ~~(3)(a)(iii)(A)~~ :

~~(A)~~ (A) for counties, 54% ;

~~(B)~~ (B) for consolidated local governments, 62% ; and

~~(C)~~ (C) for incorporated cities and towns, 70% .

(4) As used in this section, "local government" means a county, a consolidated local government, an incorporated city, and an incorporated town. A local government does not include a tax increment financing district provided for in subsection ~~(6)~~ (7). ~~For purposes of calculating the base year component for a county or consolidated local government, the department shall include the revenue listed in subsection (1) for all special districts within the county or consolidated local government. The county or consolidated local government is responsible for making an allocation from the county's or consolidated local government's share of the entitlement share pool to each special district within the county or consolidated local government in a manner that reasonably reflects each special district's loss of revenue sources listed in subsection (1) for which reimbursement is provided in this section.~~

(5) (a) The entitlement share pools calculated in this section, the amounts determined under [section 1(2)(b)] for local governments, and the block grants funding provided for in subsection ~~(6)~~ (7), including the amounts determined under [section 1(3)(b)], are statutorily appropriated, as provided in 17-7-502, from the general fund to the department for distribution to local governments. ~~Each local government is entitled to a pro rata share of each year's entitlement share pool based on the local government's base component in relation to the base year entitlement share pool.~~ Except for the distribution made under [section 1(2)(b)], the distributions must be made on a quarterly basis.

(b) (i) The growth amount is the difference between the entitlement share pool in the current fiscal year and the entitlement share pool in the previous fiscal year. ~~For the purposes of subsection (5)(b)(ii)(A), a county with a negative base year component has a base year component of zero.~~ The growth factor in the entitlement share must be calculated separately for:

(A) counties;

(B) consolidated local governments; and

(C) incorporated cities and towns.

(ii) In each fiscal year, the growth amount for counties must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each county's percentage of the base prior fiscal year entitlement share pool for all counties; and

(B) 50% of the growth amount must be allocated based upon the percentage that each county's population bears to the state population not residing within consolidated local governments as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iii) In each fiscal year, the growth amount for consolidated local governments must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each consolidated local government's percentage of the base prior fiscal year entitlement share pool for all consolidated local governments; and

(B) 50% of the growth amount must be allocated based upon the percentage that each consolidated local government's population bears to the state's total population residing within consolidated local governments as

determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(iv) In each fiscal year, the growth amount for incorporated cities and towns must be allocated as follows:

(A) 50% of the growth amount must be allocated based upon each incorporated city's or town's percentage of the ~~base~~ prior fiscal year entitlement share pool for all incorporated cities and towns; and

(B) 50% of the growth amount must be allocated based upon the percentage that each city's or town's population bears to the state's total population residing within incorporated cities and towns as determined by the latest interim year population estimates from the Montana department of commerce as supplied by the United States bureau of the census.

(v) In each fiscal year, the amount of the entitlement share pool ~~not represented by~~ before the growth amount or adjustments are made under subsection (6) are applied is to be distributed to each local government in the same manner as the entitlement share pool was distributed in the prior fiscal year.

(6) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this section, the department shall determine the reimbursement amount as provided in the enactment and add the appropriate amount to the entitlement share distribution under this section. The total entitlement share distributions in a fiscal year, including distributions made pursuant to this subsection, equal the local fiscal year entitlement share pool. The ratio of each local government's distribution from the entitlement share pool must be recomputed to determine each local government's ratio to be used in the subsequent year's distribution determination under subsections (5)(b)(ii)(A), (5)(b)(iii)(A), and (5)(b)(iv)(A).

~~(6)(7)~~ (a) If a tax increment financing district was not in existence during the fiscal year ending June 30, 2000, then the tax increment financing district is not entitled to any block grant funding. If a tax increment financing district referred to in subsection ~~(6)(b)~~ (7)(b) terminates, then the block grant funding for the district provided for in subsection ~~(6)(b)~~ (7)(b) terminates.

(b) ~~One-half~~ Except for the reimbursement made under [section 1(3)(b)], one-half of the payments provided for in this subsection ~~(6)(b)~~ (7)(b) must be made by November 30 and the other half by May 31 of each year. Subject to subsection ~~(6)(a)~~ (7)(a), the entitlement share for tax increment financing districts is as follows:

Cascade	Great Falls - downtown	\$468,966
Deer Lodge	TIF District 1	3,148
Deer Lodge	TIF District 2	3,126
Flathead	Kalispell - District 1	758,359
Flathead	Kalispell - District 2	5,153
Flathead	Kalispell - District 3	41,368
Flathead	Whitefish District	164,660
Gallatin Bozeman - downtown		34,620
Lewis and Clark Helena - 2		731,614
Missoula	Missoula - 1-1B & 1-1C	1,100,507 250,279
Missoula	Missoula - 4-1C	33,343
Silver Bow	Butte - uptown	283,801
Yellowstone	Billings	436,815

~~(7)(8)~~ (8) The estimated ~~base~~ fiscal year entitlement share pool and any subsequent entitlement share pool for local governments do not include revenue received from tax increment financing districts, from countywide transportation block grants, or from countywide retirement block grants.

(8) (a) ~~If revenue that is included in the sources listed in subsections (1)(b) through (1)(o) is significantly reduced, except through legislative action, the department shall deduct the amount of revenue loss from the entitlement share pool beginning in the succeeding fiscal year and the department shall work with local governments to propose legislation to adjust the entitlement share pool to reflect an allocation of the loss of revenue.~~

~~(b) For the purposes of subsection (8)(a), a significant reduction is a loss that causes the amount of revenue received in the current year to be less than 95% of the amount of revenue received in the base year.~~

(9) A three-fifths vote of each house is required to reduce the amount of the entitlement share calculated pursuant to subsections (1) through (3).

(10) When there has been an underpayment of a local government's share of the entitlement share pool, the department shall distribute the difference between the underpayment and the correct amount of the entitlement share.

When there has been an overpayment of a local government's entitlement share, the local government shall remit the overpaid amount to the department.

(11) A local government may appeal the department's estimation of the base ~~year~~ component, the entitlement share pool growth rate, or a local government's allocation of the entitlement share pool, according to the uniform dispute review procedure in 15-1-211.

(12) A payment required pursuant to this section may not be offset by a debt owed to a state agency by a local government in accordance with Title 17, chapter 4, part 1."

Renumber: subsequent sections

9. Page 7, line 20.

Strike: "(i)"

10. Page 7, line 27 through line 28.

Strike: subsection (ii) in its entirety

11. Page 9, line 6.

Following: "entity"

Insert: ":

(a)"

12. Page 9, line 7.

Following: "reimbursements"

Insert: ";

(b) shall decrease the number of mills to account for a new reimbursement under the provisions of 15-1-121(6) that is added to the entitlement share payment to offset a reduction in property tax revenue. The decrease in mills applies in the first fiscal year in which the new reimbursement is received"

13. Page 10, line 7.

Strike: "[section 1]:"

14. Page 10, line 11.

Following: "20-9-622;"

Insert: "20-9-630;"

15. Page 12, following line 25.

Insert: "Section 10. Section 20-9-630, MCA, is amended to read:

"20-9-630. School district block grants. (1) (a) The office of public instruction shall provide a block grant to each school district based on:

(i) the revenue received by each district in fiscal year 2001 from vehicle taxes and fees, corporate license taxes paid by financial institutions, aeronautics fees, state land payments in lieu of taxes, and property tax reimbursements pursuant to sections 167(1) through (5) and 169(6), Chapter 584, Laws of 1999; and

(ii) any reimbursement to be made to a school district pursuant to subsection (2).

(b) Block grants must be calculated using the electronic reporting system that is used by the office of public instruction and school districts. The electronic reporting system must be used to allocate the block grant amount into each district's budget as an anticipated revenue source by fund.

~~(c) With the exception of vehicle taxes and fees, the office of public instruction shall use the amount actually received from the sources listed in subsection (1)(a) in fiscal year 2001 in its calculation of the block grant for fiscal year 2002 budgeting purposes. For vehicle taxes and fees, the office of public instruction shall use 93.4% of the amount actually received in fiscal year 2001 in calculating the block grant for fiscal year 2002.~~

~~(2) If the fiscal year 2003 appropriation provided in section 248(1), Chapter 574, Laws of 2001, is insufficient to fund the school district block grants in fiscal year 2003 at the fiscal year 2002 level, the office of public instruction shall prorate the block grants to meet the remaining appropriation. School districts shall anticipate the~~

~~prorated block grant amounts provided by the office of public instruction in their budgets for fiscal year 2003.~~

(2) If the legislature enacts a reimbursement provision that is to be distributed pursuant to this section, the office of public instruction shall determine the reimbursement amount as provided in the enactment and add the appropriate amount to block grant distributions under this section. The total of reimbursement distributions made pursuant to this subsection in a fiscal year must be added to all other distributions to the school district in the fiscal year to determine the distribution for the subsequent fiscal year. The block grant percentage increases in subsections (4)(a) and (4)(c) do not apply to reimbursements made under this subsection for the fiscal year of the first reimbursement, but do apply to the block grant amounts in subsequent fiscal years that incorporate reimbursement added in previous fiscal years. For the purpose of this subsection, the "fiscal year of the first reimbursement" does not include the fiscal year in which the reimbursement under [section 1(2)(b)] is made.

(3) ~~Each~~ Except for the reimbursement made under [section 1(2)(b)], each year, 70% of each district's block grant must be distributed in November and 30% of each district's block grant must be distributed in May at the same time that guaranteed tax base aid is distributed.

(4) (a) The block grant for the district general fund is equal to the average amount received in fiscal years 2002 and 2003 by the district general fund from the block grants provided for in subsection (1). The block grant must be increased by 0.76% in fiscal year 2004 and in each succeeding fiscal year.

(b) The block grant for the district transportation fund is equal to one-half of the average amount received in fiscal years 2002 and 2003 by the district transportation fund from the block grants provided for in subsection (1). The block grant must be increased by 0.76% in fiscal year 2004 and in each succeeding fiscal year.

(c) (i) The combined fund block grant is equal to the average amount received in fiscal years 2002 and 2003 by the district tuition, bus depreciation reserve, building reserve, nonoperating, and adult education funds from the block grants provided for in subsection (1). The block grant must be increased by 0.76% in fiscal year 2004 and in each succeeding fiscal year.

(ii) The school district may deposit the combined fund block grant into any budgeted fund of the district.

(5) The funding for block grants provided for in this section, including the reimbursement under [section 1(2)(b)], is statutorily appropriated, as provided in 17-7-502, from the general fund to the office of public instruction for distribution to school districts."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 539, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "\$500,000"

Insert: "\$100,000"

2. Page 1, line 20.

Strike: "\$500,000"

Insert: "\$100,000"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/28/2007

SB 92, be amended as follows:

1. Page 5, line 25.

Following: "Licensees"

Strike: ", including individual mortgage brokers working as employees,"

2. Page 6, following line 22.

Insert: "(3) If the employment of a designated manager is terminated, the mortgage broker shall return the designated manager's license to the department within 5 business days of the termination."

3. Page 8, line 14.

Strike: "subsections (3) and (4)"

Insert: "subsection (3)"

4. Page 9, line 15 through line 19.

Strike: subsection (4) in its entirety

5. Page 11, line 14.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of this chapter."

6. Page 12, line 3.

Strike: "refusing"

Insert: "refusal"

Following: "been"

Strike: "suspended or"

7. Page 12, line 4 through line 5.

Following: "reinstatement of a"

Strike: "suspended" on line 4 through the first "or" on line 5

8. Page 12, line 5.

Following: "date of"

Strike: "suspension or"

And, as amended, be concurred in. Report adopted.

SB 114, be concurred in. Report adopted.

SB 153, be amended as follows:

1. Title, line 18 through line 19.

Strike: "PROHIBITING" on line 18 through "REMUNERATION;" on line 19

2. Title, line 28.

Strike: "37-28-201,"

3. Page 2, line 27.

Following: "fee"

Insert: "and meets any competency requirements established by rule by the department"

4. Page 16, line 21 through page 17, line 4.

Strike: section 21 in its entirety

Renumber: subsequent sections

5. Page 24, line 28.

Following: "(6)"

Insert: "(a)"

6. Page 24, line 29.

Strike: " "

Insert: "except that:

(i) any broker licensed prior to October 1, 2007, is entitled to a supervising broker endorsement provided that the broker indicates on the broker's license renewal form for the 2008 calendar year the broker's intention to obtain the endorsement;

(ii) a broker who obtains a supervising broker endorsement pursuant to subsection (6)(a)(i) is subject to the endorsement renewal requirements adopted by the board by rule in order to supervise one or more licensed salespersons;

(iii) continuing education requirements for a supervising broker endorsement may not be in addition to the continuing education requirements for a licensed broker with respect to the total number of hours or credits required.

(b) The board may not assess a licensing fee for obtaining or renewing a supervising broker endorsement."

7. Page 55, line 19.

Strike: "24"

Insert: "23"

8. Page 55, line 20.

Strike: "24"

Insert: "23"

9. Page 55, line 21.

Strike: "25"

Insert: "24"

10. Page 55, line 22.

Strike: "25"

Insert: "24"

And, as amended, be concurred in. Report adopted.

SB 165, be amended as follows:

1. Page 5, line 1.

Following: "violation"

Insert: "and not to exceed \$5,000 for each administrative action"

2. Page 5, line 11.

Strike: "department refusing"

Insert: "department's refusal"

3. Page 5, line 15.

Strike: "fines collected"

Insert: "penalties collected pursuant to this section"

4. Page 11, line 23.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of this chapter."

5. Page 12, line 10.

Following: "Lewis and Clark County"

Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

And, as amended, be concurred in. Report adopted.

SB 440, be concurred in. Report adopted.

SB 453, be concurred in. Report adopted.

SB 480, be concurred in. Report adopted.

3/27/2007

EDUCATION (Jore, Chairman):

3/28/2007

SB 152, be amended as follows:

1. Title, line 6.

Strike: "FORGIVENESS"

Insert: "ASSISTANCE"

2. Title, line 11 through line 13.

Strike: "REVISING" on line 11 through "DISTRICT;" on line 13

Insert: "AUTHORIZING OPTIONAL EARLY CHILDHOOD DEVELOPMENT PROGRAMS TO REPLACE KINDERGARTEN;"

3. Title, line 14.

Strike: "A"

Insert: "AN OPTIONAL"

Strike: "KINDERGARTEN"

Insert: "EARLY CHILDHOOD DEVELOPMENT"

4. Title, line 15.

Following: "DISTRICT;"

Insert: "CHANGING THE TERM "KINDERGARTEN" TO "EARLY CHILDHOOD DEVELOPMENT";"

5. Title, line 18.

Following: "SCHOOLS;"

Insert: "INCREASING THE BASIC ENTITLEMENT PAYMENT AND MAKING THE PAYMENTS BASED UPON A CALCULATED BASIC ENTITLEMENT UNIT; PROVIDING A PER-CLASSROOM PAYMENT;"

Strike: "QUALITY"

Following: "PAYMENT;"

Insert: "ADDING LICENSED PSYCHOLOGISTS AND LICENSED SOCIAL WORKERS TO THE LIST OF LICENSED PROFESSIONALS WHO ARE INCLUDED IN THE CALCULATION OF THE EDUCATOR PAYMENT; PROVIDING AN EDUCATOR PAYMENT TO CERTIFIED TEACHERS EMPLOYED BY THE MONTANA YOUTH CHALLENGE PROGRAM;"

6. Title, line 19.

Strike: "GOVERNOR'S"

7. Title, line 20.

Following: "SECTIONS"

Insert: "2-15-1524,"

Following: "20-3-205,"

Insert: "20-5-320, 20-5-402,"

Strike: "20-6-104,"

Insert: "20-6-501, 20-6-508, 20-7-102,"

Following: "20-7-117,"

Insert: "20-7-133,"

8. Title, line 21.

Following: "20-9-327,"

Insert: "20-9-344, 20-9-805, 20-26-601,"

Strike: "AND"

Following: "20-26-603,"

Insert: "AND 20-32-101,"

9. Title, line 22.

Following: "MCA;"

Insert: "PROVIDING FOR CONTINGENT VOIDNESS;"

Following: "PROVIDING"

Strike: "EFFECTIVE DATES AND"

Insert: "AN EFFECTIVE DATE,"

10. Title, line 23.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

11. Page 1, line 27.

Strike: "forgiveness"

Insert: "assistance"

12. Page 1, line 28.

Strike: "forgiveness"

Insert: "assistance"

13. Page 2, line 24.

Strike: "areas"

Insert: "schools"

14. Page 2, line 25 through line 27.

Following: "identify"

Strike: ":" on line 25 through "(b)" on line 27

Following: "specific"

Strike: "certification or endorsement areas"

Insert: "schools"

Following: line 27

Insert: "(2) The board of public education shall publish a report annually listing the schools identified as impacted by critical quality educator shortages, the reasons for specific schools being identified, and information regarding any success in retention."

Renumber: subsequent subsection

15. Page 2, line 28 and line 29.

Following: "working" on line 28

Strike: remainder of line 28 through "area" on line 29

Insert: "at schools identified in subsection (1)"

Strike: "all or" on line 29

16. Page 3, line 5 and line 6.

Strike: "a geographic region" on line 5

Insert: "an identified school"

Strike: "[section 3(1)(a)]" on line 5 through "[section 3(1)(b)]" on line 6

Insert: "[section 3(1)]"

17. Page 3, line 16.

Strike: "\$3,000"

Insert: "\$1,500"

18. Page 3, line 22.

Insert: "(4) If a quality educator ceases to remain in a teaching position in any of the schools identified in [section 3] within 4 years following a year in which the loan repayment assistance was granted, the quality educator shall repay to the board of regents the amount of the loan repayment assistance for that year."

19. Page 3, line 24.

Strike: "teachers"

Insert: "quality educators"

20. Page 3, line 25.

Strike: "geographic regions"

Insert: "specific schools"

21. Page 3, line 30.

Insert: "Section 7. Section 2-15-1524, MCA, is amended to read:

"2-15-1524. Governor's postsecondary Postsecondary scholarship advisory council -- terms. (1) There is a three-member ~~governor's~~ postsecondary scholarship advisory council appointed by the governor.

(2) Members shall serve staggered 3-year terms and must include:

(a) at least one member with experience in financial aid at a postsecondary institution; and

(b) at least one member with experience in secondary or postsecondary education.

(3) A presiding officer must be selected by the council from among its membership at the first meeting of the council.

(4) The council shall:

(a) advise the board on issues related to the ~~governor's~~ postsecondary scholarship program and other student assistance programs; and

(b) report to the governor annually or at any time upon request by the governor.

(5) The council is attached to the commissioner of higher education for administrative purposes only, as provided in 2-15-121, and members are entitled to compensation as provided in 2-15-122(5)."

Renumber: subsequent sections

New Amendment:

Page 4, line 7

Strike: "8"

Insert: "9"

22. Page 4, line 23.

Strike: "kindergarten" in both places

Insert: "early childhood development" in both places

23. Page 5, line 2 through page 6, line 18.

Strike: section 10 in its entirety

Renumber: subsequent sections

24. Page 8, line 28 through page 9, line 5.

Strike: section 12 in its entirety

Insert: "Section 12. Section 20-5-320, MCA, is amended to read:

"20-5-320. Attendance with discretionary approval. (1) A child may be enrolled in and attend a school in a Montana school district that is outside of the child's district of residence or a public school in a district of another state or province that is adjacent to the county of the child's residence, subject to discretionary approval by the trustees of the resident district and the district of choice. If the trustees grant discretionary approval of the child's attendance in a school of the district, the parent or guardian may be charged tuition and may be charged for transportation.

(2) (a) Whenever a parent or guardian of a child wishes to have the child attend a school under the provisions of this section, the parent or guardian shall apply to the trustees of the district where the child wishes to attend. The application must be made on an out-of-district attendance agreement form supplied by the district and developed by the superintendent of public instruction.

(b) The attendance agreement must set forth the financial obligations, if any, for tuition and for costs incurred for transporting the child under Title 20, chapter 10.

(c) (i) The trustees of the district of choice may waive any or all of the tuition rate. The trustees of the district of choice may waive the tuition for all students whose tuition is required to be paid by one type of entity and may charge tuition for all students whose tuition is required to be paid by another type of entity. However, any waiver of tuition must be applied equally to all students whose tuition is paid by the same type of entity.

(ii) As used in this subsection (2)(c), "entity" means a parent or guardian or the trustees of the district of residence.

(3) An out-of-district attendance agreement approved under this section requires that the parent or guardian initiate the request for an out-of-district attendance agreement and that the trustees of both the district of residence and the district of choice approve the agreement.

(4) If the trustees of the district of choice waive tuition, approval of the resident district trustees is not required.

(5) The trustees of a school district may approve or disapprove the out-of-district attendance agreement consistent with this part and the policy adopted by the local board of trustees for out-of-district attendance agreements.

(6) The approval of an out-of-district attendance agreement by the applicable approval agents or as the result of an appeal must authorize the child named in the agreement to enroll in and attend the school named in the agreement for the designated school year.

(7) The trustees of the district where the child wishes to attend have the discretion to approve any attendance agreement.

(8) This section does not preclude the trustees of a district from approving an attendance agreement for educational program offerings not provided by the resident district, such as the ~~kindergarten~~ early childhood development or grades 7 and 8 programs, if the trustees of both districts agree to the terms and conditions for attendance and any tuition and transportation requirement. For purposes of this subsection, the trustees of the resident district shall initiate the out-of-district agreement.

(9) (a) A provision of this title may not be construed to deny a parent or guardian the right to send a child, at personal expense, to any school of a district other than the resident district when the trustees of the district of choice have approved an out-of-district attendance agreement and the parent or guardian has agreed to pay the tuition as prescribed by 20-5-323. However, under this subsection (9), the tuition rate must be reduced by the amount that the parent or guardian of the child paid in district property taxes during the immediately preceding school fiscal year for the benefit and support of the district in which the child will attend school.

(b) For the purposes of this section, "parent or guardian" includes an individual shareholder of a domestic corporation as defined in 35-1-113 whose shares are 95% held by related family members to the sixth degree of consanguinity or by marriage to the sixth degree of affinity.

(c) The tax amount to be credited to reduce any tuition charge to a parent or guardian under subsection (9)(a) is determined in the following manner:

(i) determine the percentage of the total shares of the corporation held by the shareholder parent or parents or guardian;

(ii) determine the portion of property taxes paid in the preceding school fiscal year by the corporation, parent, or guardian for the benefit and support of the district in which the child will attend school.

(d) The percentage of total shares as determined in subsection (9)(c)(i) is the percentage of taxes paid as determined in subsection (9)(c)(ii) that is to be credited to reduce the tuition charge.

(10) As used in 20-5-320 through 20-5-324, the term "guardian" means the guardian of a minor as provided in Title 72, chapter 5, part 2."

Insert: "Section 13. Section 20-5-402, MCA, is amended to read:

"20-5-402. Definitions. As used in this part, the following definitions apply:

(1) "Department" means the department of public health and human services provided for in 2-15-2201.

(2) "Governing authority" means the board of trustees of a school district or the administrator of a private school, preschool, or postsecondary school.

(3) "Immunization" means induction of a state of resistance to a disease through administration of an immunizing agent.

(4) "Local health department" means a city, city-county, county, or district health department.

(5) "Local health officer" means a city, city-county, county, or district health officer.

(6) "Postsecondary school" means a community college, a unit of the Montana university system, or a private university or college.

(7) "Preschool" means a place or facility that provides, on a regular basis and as its primary purpose, educational instruction designed for children 5 years of age or younger and that:

(a) serves no child under 5 years of age for more than 3 hours a day; and

(b) serves no child 5 years of age for more than 6 hours a day.

(8) "School" means a place or institution for the teaching of individuals, the curriculum of which is composed of the work of:

(a) any combination of ~~kindergarten~~ an early childhood development program through grade 12;

(b) a postsecondary school; or

(c) a preschool."

Renumber: subsequent sections

25. Page 9, line 6.

Following: line 5

Insert: "Section 14. Section 20-6-501, MCA, is amended to read:

"20-6-501. Definition of various schools. As used in this title, unless the context clearly indicates otherwise, the term "school" means an institution for the teaching of children that is established and maintained under the laws of the state of Montana at public expense. The trustees of a district shall designate the grade assignments for the schools of the district, but for the purposes of this title each school is known as:

(1) an elementary school when it comprises the work of any combination of ~~kindergarten~~ early childhood development programs, ~~other~~ preschool programs, or the first eight grades or their equivalents. A middle school is a school comprising the work of grades 4 through 8 or any combination of grades 4 through 8 that has been accredited as a middle school under the provisions of 20-7-102. When an accredited junior high school is operated by the district, grades 7 and 8 or their equivalents may not be considered as elementary grades.

(2) a high school when it comprises the work of one or more grades of schoolwork or their equivalents intermediate between the elementary schools and the institutions of higher education of the state of Montana. Types of high schools are designated as follows:

(a) a junior high school is a school comprising the work of grades 7 through 9 or their equivalents that has been accredited as a junior high school under the provisions of 20-7-102;

(b) a senior high school is a school that comprises the work of grades 10 through 12 or their equivalents and that is operated in conjunction with a junior high school;

(c) a 4-year high school is a school comprising the work of grades 9 through 12 or their equivalents."

Insert: "Section 15. Section 20-6-508, MCA, is amended to read:

"20-6-508. ~~Kindergarten~~ Early childhood development through grade twelve system. Unless otherwise required by law, the trustees of an elementary district in which a high school is located and the trustees of the high school district operating such high school may organize the schools of their districts to form ~~a kindergarten~~ an early childhood development through grade 12 school system, provided that the high school and elementary trustees ~~shall~~ may not assume responsibility for the administration of grades ~~which~~ that are not properly within their jurisdiction."

Insert: "Section 16. Section 20-7-102, MCA, is amended to read:

"20-7-102. Accreditation of schools. (1) The conditions under which each elementary school, each middle school, each junior high school, 7th and 8th grades funded at high school rates, and each high school operates must be reviewed by the superintendent of public instruction to determine compliance with the standards of accreditation. The accreditation status of each school must then be established by the board of public education upon the recommendation of the superintendent of public instruction. Notification of the accreditation status for the applicable school year or years must be given to each district by the superintendent of public instruction.

(2) A school may be accredited for a period consisting of 1, 2, 3, 4, or 5 school years, except that multiyear accreditation may be granted only to schools that are in compliance with 20-4-101.

(3) A nonpublic school may, through its governing body, request that the board of public education accredit the school. Nonpublic schools may be accredited in the same manner as provided in subsection (1).

(4) As used in this section, "7th and 8th grades funded at high school rates" means an elementary school district or K-12 district elementary program whose 7th and 8th grades are funded as provided in ~~20-9-306(14)(c)(ii)~~ 20-9-306(16)(c)(ii)."

Renumber: subsequent sections

26. Page 9, line 8.

Strike: "Kindergarten and"

Insert: "Early childhood development --"

27. Page 9, line 9.

Strike: "shall"

Insert: "may"

Strike: "a kindergarten"

Insert: "an early childhood development"

28. Page 9, line 12.

Strike: "The kindergarten"

Insert: "An optional early childhood development"

Strike: ", which the trustees may designate as either a half-time or full-time program, must"

Insert: "may"

29. Page 9, line 15 and line 16.

Following: "calculation" on line 15

Strike: remainder of line 15 through "kindergarten" on line 16

Insert: ". An optional early childhood development"

30. Page 9, line 17.

Following: " _"

Insert: "The trustees may offer a half-time program or a full-time program with a half-time option. If the trustees of an elementary district offer a full-time program, they must also offer the option of a half-time program. A half-time program must be offered as a separate class."

31. Page 9, line 19.

Strike: "must"

Insert: "may"

32. Page 9, line 21.

Following: "aid."

Insert: "(3) The trustees of an elementary district who do not designate a full-time early development program shall establish a program to focus on the educational needs of enrolled children including those who will be 5 years

old on or before September 10 of the school year through grade 3. The trustees of an elementary district establishing an early childhood development program shall ensure that all ANB funding received for 5-year-old children is used in the early childhood development program and is not diverted to other programs. The office of public instruction may develop reporting and tracking procedures to ensure that the requirements of this subsection are complied with."

33. Page 9, line 22.

Following: line 21

Insert: "Section 18. Section 20-7-133, MCA, is amended to read:

"20-7-133. Pledge of allegiance required -- exemption for students and teachers. (1) Except as provided in subsection (4), the pledge of allegiance to the flag of the United States of America must be recited in all public schools of the state.

(2) The recitation required in subsection (1) must be conducted at the beginning of the first class:

(a) of each school day in ~~kindergarten~~ an early childhood development program through grade 6; and

(b) of each school week in grades 7 through 12.

(3) The recitation must be conducted:

(a) by each individual classroom teacher or the teacher's surrogate; or

(b) over the school intercom system by a faculty member or person designated by the principal.

(4) A school district shall inform all students and teachers of their right to not participate in recitation of the pledge. Any student or teacher who, for any reason, objects to participating in the pledge exercise must be excused from participation. A student or teacher who declines to participate in the pledge may engage in any alternative form of conduct so long as that conduct does not materially or substantially disrupt the work or discipline of the school.

(5) If a student or teacher declines to participate in the recitation of the pledge pursuant to this section, a school district may not for evaluation purposes include any reference to the student's or teacher's not participating."

Renumber: subsequent sections

34. Page 10, line 3.

Strike: "quality"

35. Page 10, line 5.

Following: line 4

Insert: "(e) the per-classroom payment;"

Renumber: subsequent subsections

36. Page 10, line 8.

Strike: "quality"

37. Page 10, line 9.

Following: "student payment,"

Insert: "100% of the per-classroom payment,"

38. Page 10, line 19.

Strike: "district"

Insert: "basic entitlement unit"

39. Page 10, line 20.

Strike: "\$236,552"

Insert: "\$270,000"

40. Page 10, line 21.

Strike: "\$243,649"

Insert: "\$278,100"

41. Page 10, line 22.

Following: "school"

Strike: "district"

Insert: "basic entitlement unit"

Following: "district elementary"

Strike: "program"

Insert: "basic entitlement unit"

42. Page 10, line 24.

Strike: "\$21,290"

Insert: "\$45,000"

43. Page 10, line 25.

Strike: "\$21,929"

Insert: "\$46,350"

44. Page 10, line 26.

Following: "school"

Strike: "district"

Insert: "basic entitlement unit"

Following: "district elementary"

Strike: "program"

Insert: "basic entitlement unit"

45. Page 10, line 29.

Strike: "the kindergarten"

Insert: "an optional early childhood development program"

46. Page 10, line 30.

Strike: "program"

Insert: "basic entitlement unit"

47. Page 11, line 1.

Strike: "\$21,290"

Insert: "\$45,000"

48. Page 11, line 2.

Strike: "\$21,929"

Insert: "\$46,350"

49. Page 11, line 3.

Following: "(ii)"

Insert: "(A)"

50. Page 11, line 4.

Strike: "\$55,500"

Insert: "\$85,000"

Following: "high school"

Strike: "program"

Insert: "basic entitlement unit"

Following: "middle school"

Strike: "program"

Insert: "basic entitlement unit for fiscal year 2008; and

(B) \$87,550 for an approved and accredited junior high school basic entitlement unit or middle school basic entitlement unit for each succeeding fiscal year"

51. Page 11, line 5.

Following: line 4

Insert: "(7)(a) "Basic entitlement unit" means, subject to subsection (7)(b):

(i) 800 ANB for a high school district;

(ii) 250 ANB for an elementary district; and

(iii) 450 ANB for a junior high school or middle school.

(b) Each school district must receive a payment for at least 1 basic entitlement unit. A district with ANB greater than the applicable number described in subsection (7)(a) must receive an additional unit calculated by dividing the actual ANB by the appropriate number in subsection (7)(a) and rounding that number to the nearest tenth."

Renumber: subsequent subsections

52. Page 11, line 10.

Strike: "quality"

53. Page 11, line 11.

Following: "student payment,"

Insert: "the total per-classroom payment,"

54. Page 11, line 23.

Following: line 22

Insert: "(14) "Total educator payment" means the payment resulting from multiplying the number of full-time equivalent educators as provided in 20-9-327 times:

(a) \$2,100 for fiscal year 2008; and

(b) \$2,163 for each succeeding fiscal year."

Renumber: subsequent subsections

55. Page 11, lines 28 through 30.

Strike: "the first" on line 28

Insert: "each"

Following: "~~is~~" on line 28

Strike: remainder of line 28 through "ANB" on line 30

56. Page 12, line 3 through 5.

Strike: "the first" on line 3

Insert: "each"

Following: "~~is~~" on line 3

Strike: remainder of line 3 through "ANB" on line 5

57. Page 12, line 9 through line 11.

Strike: "the first" on line 9

Insert: "each"

Strike: "kindergarten"

Insert: "an early childhood development program"

Following: "~~is~~" on line 9

Strike: remainder of line 9 through "ANB" on line 11

58. Page 12, line 13 through line 15.

Strike: "the first" on line 13

Insert: "each"

Following: "is" on line 13

Strike: remainder of line 13 through "ANB" on line 15

59. Page 12, line 16 and 17.

Strike: line 16 through line 17 in their entirety

Insert: "(17) "Total per-classroom payment" means the payment calculated as provided in [section 25]."

Renumber: subsequent subsection

60. Page 13, line 15.

Strike: "a full-time kindergarten"

Insert: "an optional full-time early childhood development"

61. Page 13, line 17.

Strike: "KINDERGARTEN"

Insert: "early childhood development program"

62. Page 15, line 9.

Strike: "a full-time kindergarten"

Insert: "an optional full-time early childhood development"

63. Page 15, line 11.

Strike: "KINDERGARTEN"

Insert: "early childhood development program"

64. Page 16, line 24.

Strike: "kindergarten"

Insert: "an early childhood development program"

65. Page 16, line 28.

Strike: "a full-time kindergarten"

Insert: "an optional full-time early childhood development"

66. Page 16, line 29.

Strike: "kindergarten"

Insert: "the early childhood development program"

67. Page 16, line 30.

Following: "offering"

Insert: "a"

Strike: "kindergarten"

Insert: "early childhood development program"

68. Page 17, line 4.

Strike: "prekindergarten"

Insert: "preschool"

69. Page 20, line 30.

Strike: "kindergarten"

Insert: "an early childhood development program"

70. Page 21, line 4.

Strike: "a full-time kindergarten"

Insert: "an optional full-time early childhood development"

71. Page 21, line 5.

Strike: "kindergarten"

Insert: "early childhood development program"

72. Page 21, line 6.

Following: "offering"

Insert: "a"

Strike: "kindergarten"

Insert: "early childhood development program"

73. Page 21, line 10.

Strike: "prekindergarten"

Insert: "preschool"

74. Page 24, line 29.

Strike: "a kindergarten"

Insert: "an early childhood development"

75. Page 25, line 3.

Strike: "a"

Insert: "an optional"

Strike: "kindergarten"

Insert: "early childhood development"

76. Page 25, line 7.

Strike: "a full-time kindergarten"

Insert: "an optional full-time early childhood development"

77. Page 25, line 13.

Strike: "kindergarten"

Insert: "early childhood development"

Strike: "a"

Insert: "an optional"

78. Page 25, line 14.

Strike: "kindergarten"

Insert: "early childhood development"

79. Page 28, line 11.

Strike: "Quality educator"

Insert: "Educator"

Strike: "a quality"

Insert: "an"

80. Page 28, line 14.

Following: ";"

Strike: "and"

81. Page 28, line 15.

Following: "41-5-103"

Insert: "; and

(v) the Montana youth challenge program"

82. Page 28, line 18.

Strike: "quality"

83. Page 28, line 20.

Strike: "quality"

84. Page 28, line 22.

Strike: "quality"

85. Page 28, line 24.

Following: line 23

Insert: "(d) The educator payment for the Montana youth challenge program must be distributed to that program by the department of military affairs."

86. Page 28, line 24.

Strike: "quality"

87. Page 28, line 30.

Following: "37-15-301,"

Insert: "37-17-301, 37-22-301,"

88. Page 29, line 3.

Insert: "NEW SECTION. Section 25. Per-classroom payment. (1) The state shall provide a per-classroom payment to public school districts as defined in 20-6-101 and 20-6-701. The per-classroom payment is \$2,100 for fiscal year 2008 and \$2,163 for each succeeding fiscal year.

(2) The number of classrooms for each school district is calculated based on the maximum number of students that may be in each classroom according to the accreditation standards and is adjusted as provided in subsection (4). The student-teacher ratio for a classroom is based upon the size category for an elementary school district or a high school district as described in subsection (3).

(3) (a) The size of an elementary school district or a K-12 elementary program is the larger of the current year ANB or the average 3-year ANB calculated as provided in 20-9-311. The size categories are as follows:

(i) "E6" means an elementary school district or a K-12 elementary program with less than 41 ANB;

(ii) "E5" means an elementary school district or a K-12 elementary program with at least 41 ANB, but not more than 150 ANB;

(iii) "E4" means an elementary school district or a K-12 elementary program with at least 151 ANB, but not more than 400 ANB;

(iv) "E3" means an elementary school district or a K-12 elementary program with at least 401 ANB, but not more than 850 ANB;

(v) "E2" means an elementary school district or a K-12 elementary program with at least 851 ANB, but not more than 2,500 ANB;

(vi) "E1" means an elementary school district or a K-12 elementary program with more than 2,500 ANB.

(b) The size of a high school district or a K-12 high school program is the larger of the current year ANB or the average 3-year ANB calculated as provided in 20-9-311. The size categories are as follows:

(i) "H5" means a high school district or a K-12 high school program with less than 75 ANB;

(ii) "H4" means a high school district or a K-12 high school program with at least 75 ANB, but not more than 200 ANB;

(iii) "H3" means a high school district or a K-12 high school program with at least 201 ANB, but not more than 400 ANB;

(iv) "H2" means a high school district or a K-12 high school program with at least 401 ANB, but not more than 1,250 ANB;

(v) "H1" means a high school district or a K-12 high school program with more than 1,250 ANB.

(4) (a) Subject to subsection (4)(b), the student-teacher ratios used to determine the number of classrooms for the per-classroom payment are based on the size categories in subsection (3) and are as follows:

(i) E6, 8.6 students per teacher;

(ii) E5, 13.5 students per teacher;

(iii) E4, 15.4 students per teacher;

(iv) E3, 16.6 students per teacher;

(v) E2, 17.9 students per teacher;

(vi) E1, 19 students per teacher;

(vii) H5, 8.5 students per teacher;

(viii) H4, 14.4 students per teacher;

(ix) H3, 16.6 students per teacher;

(x) H2, 17.7 students per teacher; and

(xi) H1, 19 students per teacher.

(b) Each elementary district must have a minimum of one classroom and each high school district must have a minimum of five classrooms."

Insert: "Section 26. Section 20-9-344, MCA, is amended to read:

"20-9-344. Duties of board of public education for distribution of BASE aid. (1) The board of public education shall administer and distribute the BASE aid and state advances for county equalization in the manner and with the powers and duties provided by law. The board of public education:

(a) shall adopt policies for regulating the distribution of BASE aid and state advances for county equalization in accordance with the provisions of law;

(b) may require reports from the county superintendents, county treasurers, and trustees that it considers necessary; and

(c) shall order the superintendent of public instruction to distribute the BASE aid on the basis of each district's annual entitlement to the aid as established by the superintendent of public instruction. In ordering the distribution of BASE aid, the board of public education may not increase or decrease the BASE aid distribution to any district on account of any difference that may occur during the school fiscal year between budgeted and actual receipts from any other source of school revenue.

(2) The board of public education may order the superintendent of public instruction to withhold distribution of BASE aid from a district when the district fails to:

(a) submit reports or budgets as required by law or rules adopted by the board of public education; or

(b) maintain accredited status.

(3) Prior to any proposed order by the board of public education to withhold distribution of BASE aid or county equalization money, the district is entitled to a contested case hearing before the board of public education, as provided under the Montana Administrative Procedure Act.

(4) If a district or county receives more BASE aid than it is entitled to, the county treasurer shall return the overpayment to the state upon the request of the superintendent of public instruction in the manner prescribed by the superintendent of public instruction.

(5) Except as provided in 20-9-347(2), the BASE aid payment must be distributed according to the following schedule:

(a) from August to October of the school fiscal year, to each district 10% of:

(i) direct state aid;

(ii) the total ~~quality~~ educator payment;

(iii) the total at-risk student payment;

(iv) the total per-classroom payment;

(~~iv~~)(v) the total Indian education for all payment; and
 (~~v~~)(vi) the total American Indian achievement gap payment;
 (b) from December to April of the school fiscal year, to each district 10% of:
 (i) direct state aid;
 (ii) the total ~~quality~~ educator payment;
 (iii) the total at-risk student payment;
 (iv) the total per-classroom payment;
 (~~iv~~)(v) the total Indian education for all payment; and
 (~~v~~)(vi) the total American Indian achievement gap payment;
 (c) in November of the school fiscal year, one-half of the guaranteed tax base aid payment to each district or county that has submitted a final budget to the superintendent of public instruction in accordance with the provisions of 20-9-134;
 (d) in May of the school fiscal year, the remainder of the guaranteed tax base aid payment to each district or county; and
 (e) in June of the school fiscal year, the remaining payment to each district of direct state aid, the total ~~quality~~ educator payment, the total at-risk student payment, the total per-classroom payment, the total Indian education for all payment, and the total American Indian achievement gap payment.
 (6) The distribution provided for in subsection (5) must occur by the last working day of each month.""

Renumber: subsequent sections

Insert: "Section 27. Section 20-9-805, MCA, is amended to read:

"20-9-805. Rate of reduction in annual apportionment entitlement. (1) Except as provided in 20-9-806(2), for each hour short of the minimum number of aggregate hours required by law that a school district fails to conduct by reason of one or more unforeseen emergencies, the superintendent of public instruction shall reduce the equalization apportionment and entitlement of the district for that school year by a proportionate amount.

(2) ~~Kindergarten~~ Early childhood development, grade 1 through 3, and grade 4 through 12 programs must be considered separately for the purpose of computing compliance with minimum aggregate hour requirements and any loss of apportionment.""

Insert: "Section 28. Section 20-26-601, MCA, is amended to read:

"20-26-601. Short title. This part may be cited as the "~~Governor's~~ Postsecondary Scholarship Program". ""

Renumber: subsequent sections

89. Page 29, line 5.

Strike: "Governor's postsecondary"

Insert: "Postsecondary"

90. Page 29, line 6.

Strike: "governor's"

91. Page 29, line 21.

Strike: "governor's"

92. Page 29, line 23 through line 24.

Strike: line 23 through line 24 in their entirety

Insert: "educational programs."

93. Page 29, line 26.

Strike: "attempt to promote"

Insert: "encourage"

94. Page 29, line 27.

Strike: "governor's"

95. Page 29, line 29.

Strike: "governor's"

96. Page 30, line 3.

Strike: "institutions"

Insert: "educational programs"

97. Page 30, line 15.

Strike: "governor's"

98. Page 30, line 22.

Strike: "institution"

Insert: "educational program"

99. Page 30, line 24.

Strike: "or"

100. Page 30, line 25.

Following: "Montana"

Insert: "; or

(d) a formal program located in the state of Montana that provides training to high school graduates or their equivalent for trade, occupational, or career training that provides technical skills and knowledge"

101. Page 30, line 27.

Strike: "institution"

Insert: "educational program"

102. Page 31, line 1.

Strike: "governor's"

103. Page 31, line 9.

Strike: "institutions"

Insert: "educational programs"

104. Page 31, line 15.

Strike: "governor's"

105. Page 31, line 24.

Strike: "institution"

Insert: "educational program"

106. Page 31, line 26.

Strike: "institution"

Insert: "educational program"

107. Page 32, line 1.

Strike: "institution"

Insert: "educational program"

108. Page 32, line 3.

Strike: "[section 24(3)]"

Insert: "[section 33(3)]"

Strike: "institution"

Insert: "educational program"

109. Page 32, line 28.

Strike: "institutions"

Insert: "educational programs"

110. Page 32, line 30.

Strike: "institution"

Insert: "educational program"

111. Page 33, line 2.

Strike: "institution's"

Insert: "educational program's"

112. Page 33, line 5.

Strike: "governor's"

113. Page 33, line 9.

Insert: "Section 34. Section 20-32-101, MCA, is amended to read:

"20-32-101. Purpose -- definition. (1) The purpose of this part is to establish a Montana educational telecommunications network.

(2) For the purposes of this part, "network" means the Montana educational telecommunications network (METNET).

(3) The aims of the network are to provide:

(a) instructional and educational coursework and materials through telecommunications delivery to students in kindergarten early childhood development programs through 12th grade in the Montana public school system;

(b) instructional and educational coursework and materials through telecommunications delivery to students enrolled in units of the Montana university system and the community colleges;

(c) instructional and professional development or other appropriate inservice training for teachers in the schools of the state; and

(d) telecommunications capabilities to agencies, subdivisions of state government, and public libraries in order to improve their ability to perform their responsibilities and duties."

Renumber: subsequent sections

114. Page 33, line 16.

Strike: "[Section 8] is"

Insert: "[Sections 9 and 25] are"

115. Page 33, line 17.

Strike: "[section 8]"

Insert: "[sections 9 and 25]"

116. Page 33, line 18 through line 19.

Strike: subsection (3) in its entirety

Renumber: subsequent subsection

117. Page 33, line 20.

Strike: "22 through 24"

Insert: "31 through 33"

118. Page 33, line 21.

Strike: "22 through 24"

Insert: "31 through 33"

119. Page 33, line 22.

Insert: "COORDINATION SECTION. **Section 37. Coordination instruction.** If House Bill No. 732 and [this act] are passed and approved, then [section 5] of [this act] must read as follows:

"NEW SECTION. Section 5. Loan repayment assistance documentation. (1) A quality educator shall submit an application for loan repayment assistance to the board of regents in accordance with policies and procedures adopted by the board of regents. The application must include official verification or proof of the applicant's total unpaid accumulated educational loan debt and other documentation required by the board of regents that is necessary for verification of the applicant's eligibility.

(2) A quality educator is eligible for loan repayment assistance for up to a maximum of 4 years. The total annual loan repayment assistance for an eligible quality educator may not exceed \$1,500. The board of regents may require an eligible quality educator to provide documentation that the quality educator has exhausted repayment assistance from other, federal, state, or local loan forgiveness, discharge, or repayment incentive programs.

(3) The board of regents may remit payment of the loan on behalf of the quality educator in accordance with the requirements of [sections 1 through 6] and policies and procedures adopted by the board of regents.

(4) A quality educator may participate in the quality educator housing incentive loan program provided for in [sections 1 through 5 of House Bill No. 732] or in the quality educator loan forgiveness program provided for in [sections 1 through 6], but may not participate in both."

Insert: "NEW SECTION. Section 38. Contingent voidness. (1) If House Bill No. 678 is not passed and approved, then [this act] is void.

(2) If House Bill No. 809 is not passed and approved, then [sections 8 and 9 of this act], amending 17-6-340 and establishing a special revenue account, respectively, are void.

(3) If House Bill No. 732 and [this act] are not both passed and approved, then House Bill No. 732 and [this act] are both void."

Renumber: subsequent sections

120. Page 33, line 23 through line 25.

Strike: section 27 in its entirety

Insert: "NEW SECTION. Section 39. Effective date. [This act] is effective July 1, 2007."

121. Page 33, line 29.

Following: line 28

Insert: "NEW SECTION. Section 41. Termination. [Sections 1 through 6] terminate June 30, 2010."

And, as amended, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 3/28/2007
HJR 49, be adopted. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 3/27/2007
SB 243, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman): 3/27/2007
SB 169, be concurred in. Report adopted.
SB 177, be concurred in. Report adopted.
SB 193, be concurred in. Report adopted.
SB 224, be concurred in. Report adopted.
SB 246, be concurred in. Report adopted.

SB 282, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/27/2007

SB 71, be amended as follows:

1. Page 3.

Following: line 19

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. If Senate Bill No. 47 is passed and approved and if it includes a section that amends 2-4-302, then [section 1 of this act], amending 2-4-302, is void and 2-4-302 is amended to read as follows:

"2-4-302. Notice, hearing, and submission of views. (1)(a) Prior to the adoption, amendment, or repeal of any rule, the agency shall give written notice of its ~~intended~~ proposed action. The proposal notice must include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, the reasonable necessity for the ~~intended~~ proposed action, and the time when, place where, and manner in which interested persons may present their views on the ~~intended~~ proposed action. The reasonable necessity must be written in plain, easily understood language.

(b) The agency shall state in the proposal notice the date on which and the manner in which notification was given to the primary sponsor as required in subsection (2)(d). If the notification to the primary sponsor was given by mail, the date stated in the proposal notice must be the date on which the notification was mailed by the agency. If the proposal notice fails to state the date on which and the manner in which the primary sponsor was notified, the filing of the proposal notice under subsection (2)(a) is ineffective for the purposes of this part and for the purposes of the law that the agency cites in the proposal notice as the authority for the proposed action.

(c) If the agency proposes to adopt, increase, or decrease a monetary amount that a person shall pay or will receive, such as a fee, cost, or benefit, the notice must include an estimate, if known, of:

(a)(i) the cumulative amount for all persons of the proposed increase, decrease, or new amount; and

(b)(ii) the number of persons affected.

(2) (a) The proposal notice must be filed with the secretary of state for publication in the register, as provided in 2-4-312, and mailed within. Within 3 days of publication, to the sponsor of the legislative bill that enacted the section that is cited as implemented in the notice if the notice is the initial proposal to implement the section a copy of the published proposal notice must be sent to interested persons who have made timely requests to the agency to be informed of its rulemaking proceedings, and to the office of any professional, trade, or industrial society or organization or member of those entities who has filed a request with the appropriate administrative rule review committee when the request has been forwarded to the agency as provided in subsection (2)(b). Each agency shall create and maintain a list of interested persons and the subject or subjects in which each person on the list is interested. A person who submits a written comment or attends a hearing in regard to proposed agency action under this part must be informed of the list by the agency. An agency complies with this subsection if it includes in the proposal notice an advisement explaining how persons may be placed on the list of interested persons and if it complies with subsection (7).

(b) The appropriate administrative rule review committee shall forward a list of all organizations or persons who have submitted a request to be informed of agency actions to the agencies that the committee oversees that publish rulemaking notices in the register. The list must be amended by the agency upon request of any person requesting to be added to or deleted from the list.

(c) The proposal notice required by ~~subsections~~ subsection (1) and (2)(a) must be published and mailed at least 30 days in advance of the agency's ~~intended~~ proposed action. In addition to publishing and mailing the notice under subsection (2)(a), the The agency shall post the proposal notice on a state electronic access system or other electronic communications system available to the public.

(d) ~~The (i) When an agency shall also, at the time that its personnel begin begins~~ (i) When an agency begins to work on the substantive content and the wording of the initial rule a proposal to implement one or more statutes that enacted the section notice for a rule that initially implements legislation, the agency shall notify the legislator who was the primary sponsor of the legislation. If the legislation affected more than one program, notice must be given to the sponsor pursuant to this subsection (2)(d) each time that a rule is being proposed to initially implement the legislation for a program.

(ii) Within 3 days after a proposal notice covered under subsection (2)(d)(i) has been published as required

in subsection (2)(a), a copy of the published notice must be sent to the primary sponsor notified under subsection (2)(d)(i).

(3) If a statute provides for a method of publication different from that provided in subsection (2), the affected agency shall comply with the statute in addition to the requirements contained in this section. However, the notice period may not be less than 30 days or more than 6 months.

(4) Prior to the adoption, amendment, or repeal of any rule, the agency shall afford interested persons at least 20 days' notice of a hearing and at least 28 days from the day of the original notice to submit data, views, or arguments, orally or in writing. If an amended or supplemental notice is filed, additional time may be allowed for oral or written submissions. In the case of substantive rules, the notice of proposed rulemaking must state that opportunity for oral hearing must be granted if requested by either 10% or 25, whichever is less, of the persons who will be directly affected by the proposed rule, by a governmental subdivision or agency, by the appropriate administrative rule review committee, or by an association having not less than 25 members who will be directly affected. If the proposed rulemaking involves matters of significant interest to the public, the agency shall schedule an oral hearing.

(5) An agency may continue a hearing date for cause. In the discretion of the agency, contested case procedures need not be followed in hearings held pursuant to this section. If a hearing is otherwise required by statute, nothing in this section alters that requirement.

(6) If an agency fails to publish a notice of adoption within the time required by 2-4-305(7) and the agency again proposes the same rule for adoption, amendment, or repeal, the proposal must be considered a new proposal for purposes of compliance with this chapter.

(7) At the commencement of a hearing on the intended action, the person designated by the agency to preside at the hearing shall:

(a) read aloud the "Notice of Function of Administrative Rule Review Committee" appearing in the register; and

(b) inform the persons at the hearing of the provisions of subsection (2)(a) and provide them an opportunity to place their names on the list.

(8) For purposes of notifying primary sponsors under subsections (2)(a) and (2)(d) who are no longer members of the legislature, a former legislator who wishes to receive notice may keep the former legislator's name, address, and telephone number on file with the secretary of state. An agency proposing rules shall consult the register when providing sponsor notice."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 279, be concurred in. Report adopted.

SB 285, be concurred in. Report adopted.

SB 299, be concurred in. Report adopted.

SB 502, be concurred in. Report adopted.

SB 517, be concurred in. Report adopted.

SB 47, be concurred in. Report adopted.

3/28/2007

SB 270, be amended as follows:

1. Page 1.

Following: line 19

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. If both House Bill No. 520 and [this act] are passed and approved and both amend 13-10-503, then the sections amending 13-10-503 are void and 13-10-503 must read as follows:

"13-10-503. Filing deadlines. (1) A petition for nomination and the affidavits of circulation required by 13-27-302, accompanied by the required filing fee, must be filed with the same officer with whom other nominations for the office sought are filed. Petitions must be submitted, at least 1 week before the deadline for filing, to the election administrator in the county where the signer resides for verification and certification by the procedures provided in 13-27-303 through 13-27-306. ~~In the event~~ If there are insufficient signatures on the petition, additional signatures may be submitted before the deadline for filing. If sufficient signatures are verified and certified pursuant

to 13-10-502, the county election administrator shall file the petition for nomination with the same officer with whom other nominations for the office sought are filed.

(2) Except as provided in 13-10-504, each petition for nomination, accompanied by the required filing fee, must be filed ~~before the scheduled primary election or the filing deadline for the special or general election if a primary election is not scheduled~~ by the deadline established in 13-10-201(6)." "

And, as amended, be concurred in. Report adopted.

SB 367, be concurred in. Report adopted.

SB 459, be concurred in. Report adopted.

SB 532, be concurred in. Report adopted.

SB 538, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/28/2007

HB 8, introduced bill, be amended as follows:

1. Title, line 12.

Following: "LOANS;"

Insert: "STATUTORILY ESTABLISHING AN APPLICATION FEE FOR A GRANT OR LOAN; AMENDING SECTION 85-1-608, MCA;"

2. Page 5, line 28.

"Section 9. Section 85-1-608, MCA, is amended to read:

"85-1-608. Applications for grants and loans to private persons. (1) A private person may apply for a grant or loan to finance a water-related project to be constructed, developed, and operated in Montana.

(2) An application for a loan or grant must be in the form prescribed by rule and contain or be accompanied by any information necessary to adequately describe the proposed project and necessary for evaluation of the proposed project under the criteria set out in 85-1-609 and 85-1-610. An application must be accompanied by a fee of \$275. The fee must be deposited in the renewable resource grant and loan program state special revenue account established in 85-1-604."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 161, be amended as follows:

1. Page 5, line 16.

Strike: "Ten"

Insert: "Five"

And, as amended, be concurred in. Report adopted.

HB 822, introduced bill, be amended as follows:

1. Title, line 5.

Following: "INDIVIDUAL"

Insert: "OR A BUSINESS"

Strike: "INDIVIDUAL'S"

Insert: "TAXPAYER'S"

2. Title, line 6.

Strike: "AN IMMEDIATE"

Insert: "A DELAYED"

Following: the first "DATE"

Insert: ", "

Strike: "AND A RETROACTIVE"

Insert: "AN"

Following: the second "DATE"

Insert: ", AND A TERMINATION DATE"

3. Page 1, line 16.

Strike: "2006"

Insert: "2007"

4. Page 1.

Following: line 22

Insert: "(c) If the credit allowed under this section is claimed, the amount of the deduction allowed or allowable under this chapter for the amount that qualifies for the credit must be reduced by the dollar amount of the credit allowed."

5. Page 1, line 24.

Strike: "The"

Insert: "Subject to the limitation of subsection (3)(b) and this subsection, the"

6. Page 1, line 25.

Strike: "on" through "purchased"

Insert: "according to the following schedule:

(a) for a biodiesel blend that contains at least 2% biodiesel but less than 5% , the credit is equal to 0.02 times the total cost of the diesel fuel purchased;

(b) for a biodiesel blend that contains at least 5% biodiesel but less than 10% , the credit is equal to 0.05 times the total cost of the diesel fuel purchased;

(c) for a biodiesel blend that contains at least 10% biodiesel but less than 20% , the credit is equal to 0.1 times the total cost of the diesel fuel purchased;

(d) for a biodiesel blend that contains at least 20% biodiesel but less than 100% , the credit is equal to 0.2 times the total cost of the diesel fuel purchased;

(e) for biodiesel that meets the requirements of 15-70-301(2), the credit is equal to the total cost of the diesel fuel purchased"

7. Page 1.

Following: line 27

Insert: "NEW SECTION. **Section 2. Biodiesel tax credit.** (1)(a) Subject to the provisions of [section 1] and this section, a corporation, small business corporation, as defined in 15-30-1101, a partnership, or a limited liability company, as defined in 35-8-102, carrying on a trade or business is allowed the credit provided for in [section 1] against the taxes due under 15-31-101.

(b) The credit may be claimed only by a corporation, a small business corporation, a partnership, or a limited liability company that employs fewer than 16 employees.

(2) If the credit allowed under this section is claimed, the amount of the deduction allowed or allowable under this chapter for the amount that qualifies for the credit must be reduced by the dollar amount of the credit allowed.

(3) The credit must be attributed to shareholders, partners, or members of a limited liability company in the same proportion used to report the corporation's, partnership's, or limited liability company's income or loss for

Montana income tax purposes."

Renumber: subsequent sections

8. Page 1, line 29.

Following: "instruction."

Insert: "(1)"

9. Page 1.

Following: line 30

Insert: "(2) [Section 2] is intended to be codified as an integral part of Title 15, chapter 31, part 1, and the provisions of Title 15, chapter 31, part 1, apply to [section 2]."

10. Page 2, line 2.

Strike: "on" through "approval"

Insert: "January 1, 2008"

11. Page 2, line 4.

Strike: "Retroactive applicability"

Insert: "Applicability"

12. Page 2, line 4 through line 5.

Strike: "retroactively" on line 4 through "1-2-109," on line 5

Strike: "2006" on line 5

Insert: "2007"

13. Page 2.

Following: line 5

Insert: "NEW SECTION. **Section 6. Termination.** [This act] terminates December 31, 2013."

And, as amended, do pass. Report adopted.

SB 403, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

3/27/2007

SB 174, introduced by Elliott

SB 470, introduced by Elliott

SB 553, introduced by Black

House bills concurred in and returned to the House:

3/27/2007

HB 37, introduced by Reinhart

HB 532, introduced by Jacobson

HB 756, introduced by L. Jones

HB 789, introduced by Campbell

House amendments to Senate bill concurred in:

3/28/2007

SB 116, introduced by Brueggeman

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/2007

HB 369, introduced by Pomnichowski

MESSAGES FROM THE GOVERNOR

March 28, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that on Thursday, March 22nd I signed the following House bills and delivered those bills to the Secretary of State:

House Bill 18 sponsored by Representative W. Jones,
House Bill 38 sponsored by Representative McChesney
House Bill 46 sponsored by Representative Gallik
House Bill 48 sponsored by Representative Jacobson
House Bill 76 sponsored by Representative McNutt
House Bill 82 sponsored by Representative Parker
House Bill 106 sponsored by Representative Cordier
House Bill 137 sponsored by Representative Villa
House Bill 156 sponsored by Representative Franklin
House Bill 158 sponsored by Representative L. Jones
House Bill 162 sponsored by Representative Hiner
House Bill 226 sponsored by Representative Cohenour
House Bill 255 sponsored by Representative Clark
House Bill 274 sponsored by Representative Mendenhall
House Bill 290 sponsored by Representative Bergren
House Bill 402 sponsored by Representative Noonan

Sincerely,

BRIAN SCHWEITZER
Governor

March 28, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that on Tuesday, March 27th, I signed the following bills and delivered them to the Secretary of State:

House Bill 20 sponsored by Representative McNutt
House Bill 43 sponsored by Representative McChesney
House Bill 62 sponsored by Representative Jacobson
House Bill 65 sponsored by Representative Villa
House Bill 84 sponsored by Representative McAlpin
House Bill 90 sponsored by Representative MacLaren
House Bill 94 sponsored by Representative Van Dyk
House Bill 111 sponsored by Representative Furey
House Bill 143 sponsored by Representative Reinhart
House Bill 167 sponsored by Representative Hands
House Bill 264 sponsored by Representative Heinert
House Bill 334 sponsored by Representative McChesney

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 845, introduced by Musgrove, referred to Transportation.

HB 846, introduced by Sinrud, referred to Appropriations.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 52, introduced by Dickenson, Phillips, Campbell, Erickson, Jopek, Jacobson, Ingraham, Sands, Cordier, Van Dyk, W. Jones, referred to Human Services.

The following Senate bills were introduced, read first time, and referred to committee:

SB 174, introduced by Elliott (by request of the Department of Revenue), referred to Taxation.

SB 470, introduced by Elliott, referred to Taxation.

SB 553, introduced by Black, Lind, L. Jones, Bales, Essmann, Hansen, referred to Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 12 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Boggio, Butcher, Jore, Kerns, Koopman, Mendenhall, Sonju, Mr. Speaker.

Total 8

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 95 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Everett, Franklin, Hawk, Jore, Kerns, Koopman, Mendenhall, Morgan, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 13

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 125 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McNutt, Milburn, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Windy Boy.

Total 62

Noes: Augare, Bergren, Caferro, Callahan, Cordier, Everett, Franklin, Furey, Groesbeck, Hollenbaugh, Jayne, Jopek, Jore, Keane, Koopman, Lange, McAlpin, McChesney, McGillvray, Mendenhall, Morgan, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Sands, Sesso, Sonju, Van Dyk, Villa, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 38

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 298 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 92

Noes: Dutton, Jore, Kerns, Koopman, Sinrud, Sonju, Witte, Mr. Speaker.

Total 8

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 829 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Beck, Everett, Jore, Koopman, Morgan, Sonju.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 77 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Boggio, Mendenhall, Wells.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 145 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Boggio, Everett, Hawk, Ingraham, Jayne, Jore, Kasten, Mendenhall, Vincent.

Total 9

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 164 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 170 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Boggio, Everett, Hawk, Jore, Kasten, Malcolm, Mendenhall, Ripley, Sinrud, Wells, Mr. Speaker.

Total 11

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 203 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Hendrick, Jayne, Ward.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Himmelberger.

Total 1

SB 214 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Jore, Koopman, Peterson, Sinrud, Mr. Speaker.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Malcolm.

Total 1

SB 245 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Blasdel, Everett, Hawk, Jore, Kasten, Koopman, Lake, Lange, McGillvray, Mendenhall, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 17

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 289 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 339 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Peterson, Sonju.

Total 2

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 466 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 467 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Bixby, Franklin, Gallik, Jacobson, Windy Boy.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 536 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Rice, Ripley, Ross, Sesso,

Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 77

Noes: Caferro, Callahan, Cohenour, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hamilton, Hands, Jacobson, Jopek, McAlpin, Musgrove, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Van Dyk, Wilmer, Wiseman.
Total 23

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 537 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.
Total 64

Noes: Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, W. Jones, Kottel, MacLaren, McAlpin, Musgrove, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Van Dyk, Wilmer, Wilson, Windy Boy.
Total 35

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 544 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Jore, Koopman, Mendenhall, Wilson.

Total 4

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Van Dyk.

Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Representative Franklin moved **HB 3** do pass.

HB 3 - Representative Sinrud moved **HB 3**, second reading copy, be amended as follows:

1. Page 1, line 20.

Strike: "\$20,609,261"

Insert: "\$18,197,300"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 45

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

HB 3 - The motion to pass **HB 3**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 84

Noes: Barrett, Blasdel, Dutton, Everett, Hawk, Hilbert, Jore, Koopman, Lake, McGillvray, Mendenhall, Rice, Sonju, Wells, Mr. Speaker.
Total 15

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Nooney.
Total 1

HB 155 - Representative Noonan moved **HB 155** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Kerns, Morgan, Peterson.
Total 3

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 512 - Representative L. Jones moved **HB 512** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 98

Noes: Jore, Mr. Speaker.
Total 2

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 830 - Representative Kasten moved **HB 830** do pass.

HB 830 - Representative Wiseman moved **HB 830**, second reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "17"

Insert: "18"

2. Page 1, line 20.

Strike: "17"

Insert: "18"

3. Page 3, line 13.

Strike: "2,500,000" in both places

Insert: "20,150,000[LBP] 4,000,000[Other] 24,150,000[Total]"

4. Page 3.

Following: line 14

Insert: "Other funds consist of capitol land grant funds."

5. Page 3, line 15.

Strike: line 15 in its entirety

6. Page 7, line 15.

Strike: "\$46.838"

Insert: "\$64.488"

7. Page 8, line 9.

Strike: "14"

Insert: "15"

8. Page 12.

Following: line 1

Insert: "NEW SECTION. Section 9. Capitol land grant revenue. The appropriation of \$4 million in capitol land grant revenue to the department of administration for the enterprise system services centers is the last priority for the use of these funds during the 2009 biennium and is dependent upon the availability of revenue. If necessary, the department of administration, architecture and engineering division, shall reduce the project in scope or phase as

capitol land grant revenue becomes available."

Renumber: subsequent sections

9. Page 14, line 17.

Strike: "13(1)"

Insert: "14(1)"

10. Page 15, line 1.

Strike: "14"

Insert: "15"

11. Page 15, line 2.

Strike: "14"

Insert: "15"

12. Page 23, line 19.

Strike: "16 AND 17"

Insert: "17 and 18"

13. Page 23, line 20.

Strike: "16 AND 17"

Insert: "17 and 18"

Amendment adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 830 - Representative Wiseman moved **HB 830**, second reading copy, be amended as follows:

1. Page 8, line 2.

Strike: "\$20,318,035"

Insert: "\$26,141,165"

2. Page 13, line 13.

Strike: line 13 in its entirety

Insert: "7,823,130[LRITP] 7,823,130[Total]"

3. Page 13, line 15.

Strike: line 15 in its entirety

Insert: "4,000,000[LRITP] 4,000,000[Total]"

4. Page 14, lines 6 and 7.

Strike: line 6 and line 7 in their entirety

5. Page 14, line 8.

Strike: "\$1.5"

Insert: "\$2"

6. Page 14, line 9.

Strike: "\$1.5"

Insert: "\$2"

Amendment adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 830 - Representative Cordier moved **HB 830**, second reading copy, be amended.

Amendment **failed** adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 830 - The motion to pass **HB 830**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 80

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Ripley, Sonju, Wells, Mr. Speaker.
Total 19

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: Dutton.
Total 1

HB 831 - Representative McNutt moved **HB 831** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Barrett, Blasdel, Boggio, Dutton, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Stoker, Taylor, Ward, Wells, Witte.
Total 26

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Beck, Mr. Speaker.

Total 2

HB 835 - Representative Stahl moved **HB 835** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Blasdel, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 69

Noes: Barrett, Beck, Bixby, Boggio, Branae, Caferro, Callahan, Cohenour, Dickenson, Gallik, Grinde, Hands, Heinert, Hollenbaugh, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Musgrove, Pomnichowski, Raser, Ross, Van Dyk, Wells, Witte.

Total 29

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Lange, Stoker.

Total 2

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Franklin, Gallik, Heinert, Ingraham, Jore, Sinrud.

Total 6

Excused: Clark.

Total 1

Absent or not voting: Bergren, Kasten, Phillips, Sesso, Wilmer.

Total 5

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that House stand at recess until 5:00 p.m. House recessed at 3:20 p.m.

House reconvened at 5:00 p.m. Speaker in the chair. Quorum present except for Representative Clark who was excused.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 406 - Representative Morgan moved **HB 406** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 82

Noes: Barrett, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Rice, Ripley, Wells, Mr. Speaker.

Total 14

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Dutton, L. Jones, Lange, Stahl.

Total 4

HB 418 - Representative Koopman moved **HB 418** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

Speaker.
Total 87

Noes: Barrett, Caferro, Erickson, Everett, Franklin, Gallik, Hawk, Jayne, W. Jones, Jore, McGillvray, Mendenhall, Musgrove.
Total 13

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 574 - Representative Hiner moved **HB 574** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 64

Noes: Barrett, Becker, Bixby, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Mr. Speaker.
Total 35

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: Witte.
Total 1

HB 797 - Representative Ankney moved **HB 797** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 77

Noes: Barrett, Blasdel, Butcher, Everett, Hawk, Heinert, Hendrick, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Ward.
Total 23

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 841 - Representative Ankney moved **HB 841** do pass.

HB 841 - Representative Ankney moved **HB 841**, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "REGULAR SCHOOL ELECTION AND THE"

2. Title, line 6.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "AND 20-20-105"

3. Page 1, line 21 through line 30.

Strike: section 2 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Cordier, Franklin, Glaser, Jayne, McGillvray.

Total 5

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Nooney, Stahl.

Total 2

HB 841 - The motion to pass **HB 841**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Everett, Furey, Gallik, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman,

Lake, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 70

Noes: Augare, Becker, Bergren, Caferro, Callahan, Cohenour, Cordier, Erickson, Franklin, French, Groesbeck, Hands, Ingraham, Jacobson, Jayne, Kerns, Kottel, Lambert, McAlpin, McGillvray, Musgrove, Parker, Pomnichowski, Raser, Reinhart, Sands, Villa, Wilmer, Wilson, Wiseman.

Total 30

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 49 - Representative Hamilton moved **HB 49** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 304 - Representative Furey moved **HB 304** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 80

Noes: Boggio, Butcher, Everett, Glaser, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Peterson, Stoker, Wells, Witte.

Total 19

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Taylor.

Total 1

HB 488 - Representative Jopek moved **HB 488** do pass. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 41

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 680 - Representative Cohenour moved **HB 680** do pass. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 732 - Representative Small-Eastman moved **HB 732** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 823 - Representative Small-Eastman moved **HB 823** do pass.

HB 823 - Representative Small-Eastman moved **HB 823**, second reading copy, be amended as follows:

1. Title, line 8.

Following: "PROVIDING"

Insert: "AN IMMEDIATE EFFECTIVE DATE AND"

2. Page 4.

Following: line 1

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval."

Renumber: subsequent section

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Beck, Boggio, Clark, Everett, Hawk, Kasten, Mendenhall, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 823 - The motion to pass **HB 823**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 80

Noes: Beck, Dutton, Everett, Glaser, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Lake, McGillvray, Mendenhall, Rice, Ripley, Sinrud, Sonju, Wells, Mr. Speaker.

Total 19

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Campbell.

Total 1

HB 826 - Representative McChesney moved **HB 826** do pass.

HB 826 - Representative McChesney moved **HB 826**, second reading copy, be amended as follows:

1. Page 2, line 3.

Strike: "six"

Insert: "14"

2. Page 2, line 8.

Following: "(v)"

Strike: "the" through "division"

Insert: "one member"

Following: "revenue"

Insert: "appointed by the department of revenue"

Following: ";

Strike: "and"

3. Page 2, line 9.

Following: "board"

Insert: ";

(vii) four residential property taxpayers, one each from, generally, the northeast, southeast, southwest, and northwest quadrants of the state, to be appointed by the Montana association of county treasurers;

(viii) one member to be appointed by the Montana school boards association to represent schools;

(ix) one member to be appointed by the Montana education association-Montana federation of teachers to represent schools;

(x) one member to be appointed by the Montana league of cities and towns; and

(xi) one member who represents a centrally assessed class of taxpayers to be appointed by the Montana taxpayers association"

HB 826 - Representative Olson moved to segregate item #2 from the amendment and to vote **do not pass** on the segregated amendment. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, Gallik, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 73

Noes: Augare, Bixby, Branae, Clark, Cohenour, Dickenson, Erickson, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Jayne, Jopek, Kottel, McAlpin, Musgrove, Parker, Pomnichowski, Reinhart, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson.

Total 27

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 826 - The motion to pass items #1 and #3 **failed** as follows:

Ayes: Ankney, Becker, Bergren, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, McChesney, McNutt, Musgrove, Noonan, Olson, Phillips, Pomnichowski, Raser, Sands, Sesso, Small-Eastman, Taylor, Thomas, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Noes: Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Clark, Dutton, Erickson, Everett, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Parker, Peterson, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Van Dyk, Vincent,

Ward, Wells.
Total 52

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: Witte, Mr. Speaker.
Total 2

HB 826 - The motion to pass **HB 826** carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Blasdel, Butcher, Callahan, Campbell, Cordier, Ebinger, Everett, Franklin, Gallik, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Keane, Kerns, Klock, Kottel, Lake, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Barrett, Beck, Bixby, Boggio, Branae, Caferro, Clark, Cohenour, Dickenson, Driscoll, Dutton, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Himmelberger, Jayne, L. Jones, Jopek, Jore, Kasten, Koopman, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Morgan, Parker, Peterson, Phillips, Reinhart, Sinrud, Stahl, Thomas, Van Dyk, Villa, Ward, Wells, Witte, Mr. Speaker.
Total 48

Voted Absentee: Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 82

Noes: Bixby, Driscoll, Erickson, Jore, McAlpin, McGillvray, Mendenhall, Rice, Sonju.
Total 9

Excused: Clark.

Total 1

Absent or not voting: Ankney, Bergren, Butcher, L. Jones, Jopek, Sinrud, Thomas, Ward.

Total 8

MOTIONS

Majority Leader Lange moved that **HB 831** be re-referred to the Committee on Appropriations. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 54

Excused: Clark.

Total 1

Absent or not voting: Groesbeck, Olson.

Total 2

Representative Campbell moved to reconsider actions taken on **HB 519**, and that it be printed and placed on third reading on Legislative Day 67. Motion passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jayne, Jore, Kerns, Lake, Lange, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 34

Excused: Clark.

Total 1

Absent or not voting: Groesbeck, MacLaren, Nooney.

Total 3

Representative Windy Boy moved to suspend the rules and have his name added as a sponsor to **HB 8**. There being

no objections, so ordered.

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 3/28/2007
HB 828, do pass. Report adopted.

JUDICIARY (Rice, Chairman): 3/28/2007
SJR 2, be concurred in. Report adopted.
SJR 6, be concurred in. Report adopted.
SJR 7, be concurred in. Report adopted.
SJR 24, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman): 3/28/2007
SB 36, be concurred in. Report adopted.
SB 305, be concurred in. Report adopted.
SJR 22, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

HB 843, sponsored by L. Jones, the following sponsors were added:
Senators Black, Cobb, Juneau, Laslovich, Peterson.

HJR 48, sponsored by MacLaren, the following sponsor was added: Representative Campbell

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30p.m., Thursday, March 29, 2007. Motion carried.

House adjourned at 7:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
SIXTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 29, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Bergren. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark and Representative Phillips, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/29/2007

Correctly printed: **SB 36, SB 305, SJR 22.**

Signed by the President at 7:30 a.m., March 29, 2007: **HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770, HB 795.**

Signed by the President at 8:00 a.m., March 29, 2007: **HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664, HJR 35.**

Correctly engrossed: **SB 152.**

3/28/2007

Correctly enrolled: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

Delivered to the Governor for approval at 9:55 a.m., March 29, 2007: **HB 129, HB 284, HB 409, HB 412, HB 510, HB 579, HB 596, HB 664, HB 64, HB 98, HB 118, HB 120, HB 124, HB 157, HB 260, HB 341, HB 397, HB 469, HB 497, HB 570, HB 717, HB 724, HB 770, HB 795.**

Delivered to the Secretary of State at 10:36 a.m., March 29, 2007: **HJR 35.**

Examined by the sponsor and found to be correct: **HB 206, HB 253, HB 259, HB 166, HB 242, HB 427, HB 803.**

BUSINESS AND LABOR (Mendenhall, Chairman):

3/29/2007

SB 74, be amended as follows:

1. Page 2, line 30 through page 3, line 1.

Strike: "a loan" on page 2, line 30 through "year." on page 3, line 1

Insert: ":

(a) a nonpurchase money loan secured by an unencumbered state-issued certificate of title or certificate of ownership to personal property; or

(b) a loan that is secured in a substantially equivalent manner to a loan described in subsection (8)(a) and that is designated as a title loan by the department."

2. Page 3, line 16.

Following: "violation"

Insert: "and not to exceed \$5,000 for each administrative action"

3. Page 4, line 1.

Strike: "finest collected"

Insert: "penalties collected pursuant to this section"

4. Page 4, line 26.

Following: "hearing."

Insert: "The order may apply only to the alleged act or practice constituting a violation of this chapter."

5. Page 5, line 13.

Following: "County"

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Insert: "if the person is not a resident of this state or does not maintain a place of business in this state"

6. Page 5, line 15 through line 17.

Strike: "If" on line 15 through "costs." on line 17

And, as amended, be concurred in. Report adopted.

SB 204, be concurred in. Report adopted.

SB 465, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman):

3/29/2007

SB 309, be amended as follows:

1. Page 2, line 7.

Following: "**prohibited**"

Insert: "-- private right of action -- costs and expenses"

2. Page 2.

Following: line 14

Insert: "(3) A party awarded damages pursuant to this section must also be awarded the party's costs and expenses in bringing the action, including reasonable attorney fees."

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 318, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/29/2007

SB 51, be amended as follows:

1. Title, line 12.

Following: "~~REGULATIONS~~;"

Insert: "REQUIRING SUBDIVISION REGULATIONS TO IDENTIFY AREAS UNSUITABLE FOR DEVELOPMENT UNLESS CERTAIN MITIGATION MEASURES ARE TAKEN, INCLUDING USE OF CONSTRUCTION TECHNIQUES PROVIDED IN DEPARTMENT OF LABOR AND INDUSTRY ADMINISTRATIVE RULES; PROHIBITING A GOVERNING BODY FROM INCLUDING CERTAIN BUILDING REGULATIONS IN SUBDIVISION REGULATIONS; REQUIRING THE DEPARTMENT OF LABOR AND INDUSTRY TO ADOPT RULES THAT IDENTIFY CONSTRUCTION TECHNIQUES TO MITIGATE FIRE HAZARDS;"

2. Title, line 16.

Following: "~~76-3-504~~;"

Insert: "76-3-504,"

3. Page 7, following line 27.

Insert: "**Section 3.** Section 76-3-504, MCA, is amended to read:

"76-3-504. Subdivision regulations -- contents. (1) The subdivision regulations adopted under this chapter must, at a minimum:

(a) list the materials that must be included in a subdivision application in order for the application to be determined to contain the required elements for the purposes of the review required in 76-3-604(1);

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(b) except as provided in 76-3-210, 76-3-509, or 76-3-609, require the subdivider to submit to the governing body an environmental assessment as prescribed in 76-3-603;

(c) establish procedures consistent with this chapter for the submission and review of subdivision applications and amended applications;

(d) prescribe the form and contents of preliminary plats and the documents to accompany final plats;

(e) provide for the identification of areas that, because of natural or human-caused hazards, are unsuitable for subdivision development. ~~and The regulations must prohibit subdivisions in these areas unless the hazards can be eliminated or overcome by approved construction techniques; or other mitigation measures authorized under 76-3-608(4) and (5). Approved construction techniques or other mitigation measures may not include building regulations as defined in 50-60-101 other than those identified by the department of labor and industry as provided in [section 5].~~

(f) prohibit subdivisions for building purposes in areas located within the floodway of a flood of 100-year frequency, as defined by Title 76, chapter 5, or determined to be subject to flooding by the governing body;

(g) prescribe standards for:

(i) the design and arrangement of lots, streets, and roads;

(ii) grading and drainage;

(iii) subject to the provisions of 76-3-511, water supply and sewage and solid waste disposal that meet the:

(A) regulations adopted by the department of environmental quality under 76-4-104 for subdivisions that will create one or more parcels containing less than 20 acres; and

(B) standards provided in 76-3-604 and 76-3-622 for subdivisions that will create one or more parcels containing 20 acres or more and less than 160 acres; and

(iv) the location and installation of public utilities;

(h) provide procedures for the administration of the park and open-space requirements of this chapter;

(i) provide for the review of subdivision applications by affected public utilities and those agencies of local, state, and federal government identified during the preapplication consultation conducted pursuant to subsection (1)(q) or those having a substantial interest in a proposed subdivision. A public utility or agency review may not delay the governing body's action on the application beyond the time limits specified in this chapter, and the failure of any agency to complete a review of an application may not be a basis for rejection of the application by the governing body.

(j) when a subdivision creates parcels with lot sizes averaging less than 5 acres, require the subdivider to:

(i) reserve all or a portion of the appropriation water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the water and reserve and sever any remaining surface water rights from the land;

(ii) if the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots, establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water; or

(iii) reserve and sever all surface water rights from the land;

(k) (i) except as provided in subsection (1)(k)(ii), require the subdivider to establish ditch easements in the subdivision that:

(A) are in locations of appropriate topographic characteristics and sufficient width to allow the physical placement and unobstructed maintenance of open ditches or belowground pipelines for the delivery of water for irrigation to persons and lands legally entitled to the water under an appropriated water right or permit of an irrigation district or other private or public entity formed to provide for the use of the water right on the subdivision lots;

(B) are a sufficient distance from the centerline of the ditch to allow for construction, repair, maintenance, and inspection of the ditch; and

(C) prohibit the placement of structures or the planting of vegetation other than grass within the ditch easement without the written permission of the ditch owner.

(ii) Establishment of easements pursuant to this subsection (1)(k) is not required if:

(A) the average lot size is 1 acre or less and the subdivider provides for disclosure, in a manner acceptable to the governing body, that adequately notifies potential buyers of lots that are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable; or

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(B) the water rights are removed or the process has been initiated to remove the water rights from the subdivided land through an appropriate legal or administrative process and if the removal or intended removal is denoted on the preliminary plat. If removal of water rights is not complete upon filing of the final plat, the subdivider shall provide written notification to prospective buyers of the intent to remove the water right and shall document that intent, when applicable, in agreements and legal documents for related sales transactions.

(l) require the subdivider, unless otherwise provided for under separate written agreement or filed easement, to file and record ditch easements for unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights;

(m) require the subdivider to describe, dimension, and show public utility easements in the subdivision on the final plat in their true and correct location. The public utility easements must be of sufficient width to allow the physical placement and unobstructed maintenance of public utility facilities for the provision of public utility services within the subdivision.

(n) establish whether the governing body, its authorized agent or agency, or both will hold public hearings;

(o) establish procedures describing how the governing body or its agent or agency will address information presented at the hearing or hearings held pursuant to 76-3-605 and 76-3-615;

(p) establish criteria that the governing body or reviewing authority will use to determine whether a proposed method of disposition using the exemptions provided in 76-3-201 or 76-3-207 is an attempt to evade the requirements of this chapter. The regulations must provide for an appeals process to the governing body if the reviewing authority is not the governing body.

(q) establish a preapplication process that:

(i) allows a subdivider to meet with the agent or agency, other than the governing body, that is designated by the governing body to review subdivision applications prior to the subdivider submitting the application;

(ii) requires, for informational purposes only, identification of the state laws, local regulations, and growth policy provisions, if a growth policy has been adopted, that may apply to the subdivision review process;

(iii) requires a list to be made available to the subdivider of the public utilities, those agencies of local, state, and federal government, and any other entities that may be contacted for comment on the subdivision application and the timeframes that the public utilities, agencies, and other entities are given to respond. If, during the review of the application, the agent or agency designated by the governing body contacts a public utility, agency, or other entity that was not included on the list originally made available to the subdivider, the agent or agency shall notify the subdivider of the contact and the timeframe for response.

(iv) requires that a preapplication meeting take place no more than 30 days from the date that the agent or agency receives a written request for a preapplication meeting from the subdivider; and

(v) establishes a time limit after a preapplication meeting by which an application must be submitted as provided in 76-3-604.

(2) In order to accomplish the purposes described in 76-3-501, the subdivision regulations adopted under 76-3-509 and this section may include provisions that are consistent with this section that promote cluster development.

(3) The governing body may establish deadlines for submittal of subdivision applications."

"

Renumber: subsequent sections

4. Page 8, following line 6.

Insert: "(3) Rules promulgated under subsection (2) may be enforced only by a local government body as provided in Title 76."

5. Page 8, following line 22.

Insert: "NEW SECTION. Section 5. Purpose -- rulemaking. (1) The purpose of [sections 5 and 6] is to provide specific rulemaking authority to the department of labor and industry for the purposes of 76-3-504(1)(e).

(2) By October 1, 2008, the department shall adopt rules identifying appropriate construction techniques that may be used by a local government in mitigation of identified fire hazards pursuant to 76-3-504(1)(e). Rules adopted under this section may not be construed to be part of the state building code as provided in 50-60-203. The adoption,

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amendment, or repeal of a rule under this section is of significant public interest for the purposes of 2-3-103."

Insert: "NEW SECTION. Section 6. Enforcement. Rules promulgated under [section 5] may be enforced only as provided in Title 76, chapter 3, part 5. The powers and duties for enforcement provided in 76-3-501 apply to rules adopted under [section 5] and do not apply to or include any rules adopted under Title 50, chapter 60, parts 1 through 8."

Insert: "NEW SECTION. Section 7. Codification instruction. [Sections 5 and 6] are intended to be codified as an integral part of Title 50, chapter 60, and the provisions of Title 50, chapter 60, apply to [sections 5 and 6]."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

SB 103, be amended as follows:

1. Title, line 8.

Following: "~~REQUIRED~~;"

Insert: "CHANGING THOSE WHO MAY PETITION FOR CREATION, ANNEXATION, DIVISION, AND DISSOLUTION OF RURAL FIRE DISTRICTS FROM FREEHOLDERS TO REGISTERED VOTERS AND CHANGING THE PERCENTAGE OF PETITIONERS REQUIRED;"

2. Page 2, line 4 through line 6.

Strike: "THE OWNERS OF" on line 4 through "AREA" on line 6

Insert: "40% or more of the registered voters residing in the proposed district"

3. Page 2, line 17.

Strike: "REAL PROPERTY OWNER"

Insert: "registered voter residing"

4. Page 3, line 1.

Strike: "REAL PROPERTY OWNER"

Insert: "registered voter who resides"

5. Page 3, line 2.

Following: "~~district~~"

Insert: "and who owns parcels of land in the proposed district"

Strike: "OWNER'S"

Insert: "voter's"

6. Page 6, line 29.

Strike: "REAL PROPERTY OWNERS OF"

Insert: "Registered voters residing in"

7. Page 7, line 1.

Strike: "MORE THAN 50%"

Insert: "40% or more"

8. Page 7, line 2.

Strike: "REAL PROPERTY OWNERS"

Insert: "registered voters"

9. Page 7, line 14.

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Strike: "MORE THAN" through "OWNERS"

Insert: "40% or more of the registered voters"

10. Page 8, line 7 through line 9.

Strike: "THE OWNERS OF" on line 7 through "OWNERS IN" on line 9

Insert: "40% or more of the registered voters residing in"

11. Page 8, line 29 through line 30.

Strike: "THE OWNERS OF" on line 29 through "PROPERTY OWNERS" on line 30

Insert: "40% or more of the registered voters who reside"

12. Page 9, line 11 through line 12.

Strike: "A MAJORITY" on line 11 through "OWNERS OF" on line 12

Insert: "at least 40% of the registered voters residing in"

13. Page 9, line 28 through line 29.

Strike: "THE OWNERS OF" on line 28 through "PROPERTY OWNERS" on line 29

Insert: "40% or more of the registered voters residing"

14. Page 10, line 8 through line 9.

Strike: "THE OWNERS OF" on line 8 through "PROPERTY OWNERS OF" on line 9

Insert: "40% or more of the registered voters in"

15. Page 10, line 30 through page 11, line 1.

Strike: "THE OWNERS OF" on page 10, line 30 through "PROPERTY OWNERS OF THE" on page 11, line 1

Insert: "40% or more of the registered voters residing in the"

And, as amended, be concurred in. Report adopted.

SB 200, be concurred in. Report adopted.

SB 293, be amended as follows:

1. Page 2, line 15.

Strike: "RECREATIONAL"

Insert: "multiple"

2. Page 2, line 17.

Following: "with"

Insert: "local,"

Following: ",-"

Insert: ",,"

3. Page 2, line 28.

Following: "BUSINESSES"

Insert: "and individual activities"

4. Page 3, line 5.

Following: "WHICH"

Insert: "local and"

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And, as amended, be concurred in. Report adopted.

SB 317, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/29/2007

SB 514, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/28/2007

HB 166, introduced by Raser

HB 206, introduced by Ingraham

HB 242, introduced by Ripley

HB 253, introduced by Ross

HB 259, introduced by Reinhart

HB 427, introduced by Bergren

HB 803, introduced by Himmelberger

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 3/28/2007

HB 526, introduced by Groesbeck

HB 683, introduced by Reinhart

HB 764, introduced by Milburn

MESSAGES FROM THE GOVERNOR

March 28, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Sales:

Please be informed that I have signed **House Bill 13** sponsored by Representative Sesso on March 28, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 53, introduced by Grinde, referred to State Administration.

The following House bill was introduced, read first time, and referred to committee:

HB 847, introduced by Pomnichowski.

HB 848, introduced by Olson, referred to Appropriations.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative MacLaren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 529 - Representative Lake moved **HB 529** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 69

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Musgrove, Parker, Phillips, Raser, Reinhart, Sands, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 31

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 63 - Representative Musgrove moved **HB 63** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Boggio, Everett, Glaser, Hawk, Jore, Mendenhall, Morgan, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 330 - Representative Bergren moved **HB 330** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 79

Noes: Barrett, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kerns, Koopman, MacLaren, McGillvray, Mendenhall, Morgan, Peterson, Rice, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 539 - Representative Groesbeck moved **HB 539** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 76

Noes: Barrett, Blasdel, Boggio, Clark, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 22

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.
Total 0

Absent or not voting: Lambert, Lange.
Total 2

HB 828 - Representative Olson moved **HB 828** do pass. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Blasdel, Callahan, Everett, Gallik, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lambert, Sesso.

Total 2

HB 463 - Representative Villa moved **HB 463** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Barrett, Boggio, Hilbert, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Peterson, Rice, Wells, Witte.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 822 - Representative Reinhart moved **HB 822** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 60

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 8 - Representative Kasten moved **HB 8** do pass. Motion, which requires a three-fourths vote of each House, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Barrett, Jayne, Jore, Koopman, Vincent, Wells, Mr. Speaker.

Total 7

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

SB 386 - Representative Malcolm moved **SB 386** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Blasdel, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

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Noes: Barrett, Bixby, Boggio, Callahan, Ingraham, Jayne, Jopek, Jore, Kasten, Koopman, Lambert, McGillvray, McNutt, Mendenhall, Morgan, Raser, Rice, Ripley, Ross, Sinrud, Stahl, Ward, Witte, Mr. Speaker.

Total 24

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

SB 448 - Representative Olson moved **SB 448** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Blasdel, Callahan, Clark, Everett, Hawk, Heinert, Hendrick, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Milburn, Morgan, Rice, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 540 - Representative Beck moved **SB 540** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 81

Noes: Arntzen, Bixby, Branae, Callahan, Cohenour, Dutton, Erickson, Grinde, Groesbeck, Hands, W. Jones, Keane, McChesney, McGillvray, Musgrove, O'Hara, Raser, Van Dyk, Windy Boy.

Total 19

Voted Absentee: Clark, Phillips, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman MacLaren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: French, Jore, Koopman, McGillvray, Mendenhall, Raser.
Total 6

Excused: Clark, Phillips.
Total 2

Absent or not voting: MacLaren, Sinrud.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 3 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 77

Noes: Barrett, Beck, Blasdel, Everett, Hawk, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Morgan, Rice, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Clark, Phillips, Ayes.

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Excused: None.
Total 0

Absent or not voting: Nooney, Van Dyk.
Total 2

HB 49 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Rice, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 27

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 155 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 94

Noes: Boggio, Koopman, Morgan, Peterson, Witte.
Total 5

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.
Total 0

Absent or not voting: Everett.
Total 1

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HB 304 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 79

Noes: Blasdel, Boggio, Butcher, Everett, Glaser, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Peterson, Sonju, Stoker, Taylor, Wells, Witte.

Total 21

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 343 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 63

Noes: Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 37

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 406 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert,

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MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 87

Noes: Barrett, Glaser, Hawk, Himmelberger, Jore, Kerns, Koopman, Lange, McGillvray, Mendenhall, Rice, Wells, Mr. Speaker.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 418 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 80

Noes: Barrett, Caferro, Clark, Erickson, Everett, Franklin, Hands, Hawk, Jayne, W. Jones, Jore, Lambert, McGillvray, Mendenhall, Morgan, Musgrove, Raser, Ripley, Windy Boy, Mr. Speaker.

Total 20

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 488 passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 59

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hilbert,

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Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 41

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 512 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 95

Noes: Barrett, Jore, Morgan, Witte, Mr. Speaker.

Total 5

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 519 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman.

Total 66

Noes: Barrett, Beck, Blasdel, Butcher, Caferro, Dutton, Everett, Gallik, Grinde, Hands, Hawk, Heinert, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Morgan, Nooney, Rice, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Wilson, Witte, Mr. Speaker.

Total 34

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Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 574 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 64

Noes: Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 35

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: Witte.

Total 1

HB 680 passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 54

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 732 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.
Total 30

Voted Absentee: Phillips, Aye; Clark, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 797 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 76

Noes: Barrett, Blasdel, Butcher, Everett, Hawk, Heinert, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, Lambert, McGillvray, Mendenhall, Musgrove, O'Hara, Pomnichowski, Rice, Ripley, Ross, Sinrud, Ward, Witte.
Total 24

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 823 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Everett, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Lake, McGillvray, Mendenhall, Morgan, Wells, Witte, Mr. Speaker.

Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 826 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Cordier, Dickenson, Ebinger, Everett, Franklin, Gallik, Groesbeck, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Olson, Pomnichowski, Raser, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Vincent, Wilmer, Windy Boy, Wiseman.

Total 56

Noes: Barrett, Beck, Bergren, Bixby, Branae, Clark, Cohenour, Driscoll, Dutton, Erickson, French, Furey, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Himmelberger, Jayne, Jopek, Jore, Kasten, Koopman, Lange, Malcolm, McAlpin, McGillvray, Morgan, O'Hara, Parker, Peterson, Phillips, Reinhart, Rice, Sinrud, Stoker, Van Dyk, Villa, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 44

Voted Absentee: Clark, Phillips, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 830 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 87

Noes: Blasdel, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Koopman, Lake, McGillvray, Mendenhall, Mr. Speaker.
Total 13

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 831 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wiseman.
Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Gallik, Glaser, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Nooney, O'Hara, Peterson, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 39

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 835 failed as follows:

Ayes: Ankney, Barrett, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Groesbeck, Hawk, Heinert, Hendrick, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Mr. Speaker.
Total 50

Noes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Kottel, Lake, McAlpin, McGillvray, Musgrove, O'Hara,

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Parker, Phillips, Pomnichowski, Raser, Reinhart, Sinrud, Van Dyk, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 50

Voted Absentee: Clark, Aye; Phillips, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 841 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Everett, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 74

Noes: Becker, Caferro, Callahan, Cohenour, Cordier, Erickson, Franklin, French, Hands, Ingraham, Jacobson, Jayne, Kerns, Kottel, Lambert, McAlpin, McGillvray, Musgrove, Noonan, Pomnichowski, Raser, Reinhart, Villa, Ward, Wilmer, Wilson.

Total 26

Voted Absentee: Clark, Phillips, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Speaker Sales announced the House would stand in recess.

House resumed at 3:50 p.m. Speaker in the chair. All members present except for Representative Clark and Representative Phillips, excused.

MOTIONS

Representative Lange moved to reconsider actions taken on **HB 835** and that it be placed on Third Reading today. There being no objections, so ordered.

Majority Leader Lange moved to suspend the rules and have **HB 63** placed on Third Reading today. There being no objections, so ordered.

Majority Leader Lange moved to suspend the rules and have **HB 539** be placed on Third Reading today. There being no objections, so ordered.

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Majority Leader Lange moved **HB 330** and **HB 828** be re-referred to the Committee on Taxation. There being no objections, so ordered.

Majority Leader Lange moved **SB 423**, **SB 442**, **SB 461**, **SB 391** and **SB 407** be taken from the Committee on Natural Resources and re-referred to the Committee on Federal Relations, Energy and Telecommunications. There being no objections, so ordered.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 835 passed as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Blasdel, Boggio, Butcher, Campbell, Cordier, Dutton, Everett, Franklin, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Windy Boy, Mr. Speaker.

Total 60

Noes: Barrett, Beck, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Himmelberger, Hollenbaugh, Jacobson, Jayne, Jore, McAlpin, McGillvray, Musgrove, Parker, Pomnichowski, Raser, Sands, Taylor, Van Dyk, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 38

Excused: Clark, Phillips.

Total 2

Absent or not voting: None.

Total 0

HB 63 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Dutton, Everett, Hawk, Jayne, Jore, Morgan, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 11

Excused: Clark, Phillips.

Total 2

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Absent or not voting: None.
Total 0

HB 539 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Barrett, Blasdel, Butcher, Dickenson, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 22

Excused: Clark, Phillips.
Total 2

Absent or not voting: L. Jones.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, March 30, 2007. Motion carried.

House adjourned at 4:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 30, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Clark and Representative Kottel, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 3/29/2007
Correctly printed: **SB 200, SB 204, SB 317, SB 318, SB 465, SB 514.**
Correctly engrossed: **SB 51, SB 103, SB 273, SB 74, SB 309.**
Correctly engrossed: **HB 844.** 3/30/2007

APPROPRIATIONS (Sinrud, Chairman): 3/29/2007
HB 844, introduced bill, be amended as follows:

1. Title, line 7.

Following: "GEOLOGY"

Insert: "AND ASSESSING A FEE"

2. Page 2, line 27.

Following: "appropriator"

Insert: "when the applicant's use of the water cannot be controlled to satisfy the water right of a prior appropriator"

3. Page 7, line 27.

Following: "use"

Insert: "-- fee"

4. Page 8.

Following: line 5

Insert: "(3) An entity submitting data pursuant to this section shall remit a fee in the amount of \$15 for each submittal."

And, as amended, do pass. Report adopted.

HB 148, introduced bill, be amended as follows: 3/30/2007

1. Page 1, line 30.

Following: "or"

Insert: "aquatic therapy or"

2. Page 2, line 7.

Following: "use"

Insert: "or therapeutic use"

3. Page 2, line 9.

Following: "~~whirlpool,~~"

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Insert: "therapeutic pool, hydrotherapy pool, whirlpool,"

Following: "tub"

Insert: ", "

And, as amended, do pass. Report adopted.

HB 273, do pass. Report adopted.

HB 556, do pass. Report adopted.

HB 790, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

3/30/2007

SB 100, be amended as follows:

1. Page 1, line 16.

Following: "person"

Insert: "who represents to the public that the person is an outfitter and"

2. Page 1, line 17.

Following: "portion of"

Strike: "3"

Insert: "5"

Following: "person"

Strike: "or"

Insert: "and"

3. Page 1, line 18.

Strike: "\$1,000"

Insert: "\$5,000"

And, as amended, be concurred in. Report adopted.

SB 115, be concurred in. Report adopted.

SB 205, be amended as follows:

1. Title, line 6.

Following: "AN"

Insert: "IMMEDIATE"

2. Page 2, line 2.

Strike: "July 1, 2007"

Insert: "on passage and approval"

And, as amended, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/30/2007

HB 330, do pass. Report adopted.

HB 828, introduced bill, be amended as follows:

1. Title, line 6.

Following: "SUBCOMMITTEE;"

Insert: "ASSESSING A FEE ON THE OWNER OR OPERATOR OF A COAL-FIRED ELECTRIC GENERATION"

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UNIT;"

2. Page 2, line 13.

Insert: "NEW SECTION. Section 2. Coal-fired electric generation fee. The owner or operator of a coal-fired electric generation unit operating in the state on [the effective date of this act] shall pay before July 1, 2007, a one-time \$1,000 per coal-fired electric generation unit fee to the legislative services division for use by the energy and telecommunications interim committee for the purposes provided in [section 1]."

Renumber: subsequent sections

3. Page 2, line 26.

Strike: "\$50,000"

Insert: "\$42,000"

4. Page 4, line 24.

Strike: "\$50,000"

Insert: "\$42,000"

5. Page 4, line 25.

Following: "15-36-331"

Insert: "and up to \$8,000 pursuant to [section 2]"

Strike: "is"

Insert: "are"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

3/29/2007

SB 201, introduced by Laible

SB 210, introduced by Laslovich

SB 281, introduced by Balyeat

SB 549, introduced by Story

SB 552, introduced by Harrington

House bills concurred in and returned to the House:

3/29/2007

HB 57, introduced by Franklin

HB 198, introduced by W. Jones

HB 437, introduced by Gallik

HB 786, introduced by Blasdel

House joint resolutions concurred in and returned to the House:

3/29/2007

HJR 1, introduced by Keane

HJR 4, introduced by Cohenour

HJR 7, introduced by Ward

HJR 17, introduced by Cohenour

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:3/30/2007

HB 524, introduced by Hamilton

HB 738, introduced by Mendenhall

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FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 849, introduced by Ripley, Brueggeman, referred to Federal Relations, Energy, and Telecommunications.

The following Senate bills were introduced, read first time, and referred to committees:

SB 201, introduced by Laible, Gillan, Hawks, Nooney, Hands, Grinde, Murphy, O'Hara, Ebinger, Wiseman, Dutton, Jacobson, referred to Taxation.

SB 210, introduced by Laslovich, Noonan, referred to Taxation.

SB 281, introduced by Balyeat, Hendrick, Koopman, Himmelberger, Steinbeisser, Heinert, Morgan, Barkus, Jent, Brown, Curtiss, Dutton, J. Peterson, K. Peterson, Lewis, McNutt, Story, Glaser, Lambert, Gebhardt, Wells, Rice, Ingraham, Ripley, Brueggeman, McGillvray, Lake, referred to Taxation.

SB 549, introduced by Story, referred to Taxation.

SB 552, introduced by Harrington, referred to Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8, requiring a three-fourths vote of each House, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 96

Noes: Jore, Witte, Mr. Speaker.

Total 3

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

HB 463 passed as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas,

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Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Ankney, Barrett, Boggio, Heinert, Himmelberger, Jore, Kasten, Kerns, Malcolm, McGillvray, Morgan, Peterson, Rice, Sinrud, Wells, Witte, Mr. Speaker.
Total 17

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Koopman.
Total 1

HB 529 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 73

Noes: Becker, Bixby, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, McAlpin, Parker, Phillips, Raser, Reinhart, Sands, Villa, Wilmer, Wilson, Wiseman.
Total 26

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Koopman.
Total 1

HB 822 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jore, Kasten, Kerns, Klock, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 38

Voted Absentee: Kottel, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

SB 386 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Barrett, Becker, Bixby, Boggio, Jore, Kasten, Lambert, Mendenhall, Rice, Ripley, Ross.

Total 11

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

SB 448 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Barrett, Blasdel, Everett, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Rice, Sinrud, Sonju, Stahl, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

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Total 0

Absent or not voting: Koopman.

Total 1

SB 540 concurred in as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Everett, French, Furey, Gallik, Glaser, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 81

Noes: Arntzen, Branae, Callahan, Cohenour, Dutton, Erickson, Franklin, Grinde, Groesbeck, Hands, W. Jones, Keane, McChesney, McGillvray, Musgrove, Raser, Van Dyk, Wilson.

Total 18

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House resumed at 1:35 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cordier in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 71 - Representative Olson moved **SB 71** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 92 - Representative McNutt moved **SB 92** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Franklin, Glaser, Jayne, Jore, Koopman, Ward.
Total 6

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 153 - Representative Milburn moved **SB 153** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Beck, Becker, Dickenson, Everett, Hendrick, Hilbert, Jayne, Jore, Kasten, Koopman, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 15

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Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 165 - Representative Milburn moved **SB 165** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Becker, Jayne, Jore, Kerns, Koopman, Peterson.

Total 6

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 248 - Representative McNutt moved **SB 248** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Beck, Caferro, Furey, Hands, Hendrick, Jayne, Jore, Koopman, Reinhart, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 14

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.

Total 0

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Absent or not voting: Stahl.
Total 1

SB 270 - Representative Ingraham moved **SB 270** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jore.
Total 1

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 279 - Representative Wilmer moved **SB 279** be concurred in.

SB 279 - Representative Wilmer moved **SB 279**, second reading copy, be amended as follows:

1. Page 2, line 20.
Following: "chapter"
Insert: ", "
Strike: "or"
Following: "31"
Insert: ", or 13-35-225"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 89

Noes: Blasdel, Boggio, Butcher, Hendrick, Hilbert, Himmelberger, Jayne, Mendenhall, Peterson, Sinrud, Mr.

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Speaker.
Total 11

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 279 - The motion that **SB 279** be concurred in as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Cordier moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Furey, Jore, Koopman.
Total 3

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Excused: Clark, Kottel.
Total 2

Absent or not voting: Cordier, Dutton, Lambert, McNutt, Morgan.
Total 5

MOTIONS

HB 236 - Representative Jacobson moved **HB 236** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 69th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 47

Excused: Clark, Kottel.
Total 2

Absent or not voting: Parker, Stoker.
Total 2

SB 332 - Representative Augare moved **SB 332** be taken from the table in the Committee on Taxation, be printed and placed on second reading on the 69th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Clark, Kottel.
Total 2

Absent or not voting: None.

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Total 0

HB 719, Representative Wilmer moved **HB 719** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on the 69th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark, Kottel.

Total 2

Absent or not voting: Sonju.

Total 1

HB 258, Representative Reinhart moved **HB 258** be taken from the table in the Committee on Taxation, be printed and placed on second reading on the 69th Legislative Day. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Excused: Clark, Kottel.

Total 2

Absent or not voting: Hands.

Total 1

MESSAGES FROM THE GOVERNOR

March 29, 2007

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The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 357, "AN ACT REVISING LAWS PERTAINING TO BLIND VENDORS; PROVIDING FOR THE PLACEMENT OF VENDING MACHINES ON STATE HIGHWAYS BY BLIND VENDORS; AND AMENDING SECTION 60-5-110, MCA." My proposed amendment adds an immediate effective date to the bill, and is attached to this letter.

House Bill 357 authorizes the Montana Department of Transportation to contract with blind vendors, under the state's certification program, to install vending machines on highway right-of-ways. My proposed amendment would make this law effective on passage and approval so that the Department of Transportation can begin immediate contract negotiations with the blind vendors. With this amendment, the blind vendors will be able to reap the benefit of this law this coming summer, when the volume of traffic on our state highways will be at its usual high levels.

I have discussed my proposed amendment with the sponsor of the bill, Representative Cohenour, who has expressed her support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 357
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Greg Petesch
March 29, 2007 (2:25pm)

1. Title, line 9.
Strike: "AND"

2. Title, line 10.

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Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3, line 11.

Insert: "NEW SECTION. Section 2. {standard} Effective date.

[This act] is effective on passage and approval."

- END -

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

3/30/2007

Correctly printed: **HB 273, HB 556, HB 790, HB 330, SB 115, SB 253, SB 374, SB 181, SB 443, SB 406, HJR 50, HB 840, SB 251, 414, 422, 266.**

Correctly enrolled: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Correctly engrossed: **HB 148, HB 828, SB 100, 205.**

Examined by the sponsor and found to be correct: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Correctly engrossed: **SB 27, SB 31, SB 133, SB 172, SB 489, SB 497, SB 527.**

Signed by the Chief Clerk of the House at 3:00 p.m., March 28, 2007: **HB 37, HB 91, HB 532, HB 756, HB 789.**

Signed by the Speaker at 2:00 p.m., March 30, 2007: **HB 37, HB 91, HB 756, HB 789, HB 532.**

Signed by the Speaker at 2:30 p.m., March 30, 2007: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

Signed by the Chief Clerk of the House at 4:10 p.m., March 29, 2007: **HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 803.**

APPROPRIATIONS (Sinrud, Chairman):

3/30/2007

HB 27, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "(1)"

Insert: "(a)"

Following: "actual"

Insert: "monthly"

2. Page 1, line 17 through line 18.

Strike: "upgrading." on line 17 through "comply" on line 18

Insert: "providing public safety answering points with access to phase II wireless enhanced 9-1-1 service in compliance"

3. Page 1.

Following: line 19

Insert: "(b) The term does not include costs associated with carrier cost self-recovery as permitted by federal communications commission orders."

And, as amended, do pass. Report adopted.

HB 801, introduced bill, be amended as follows:

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1. Title, line 4.

Strike: "REFUNDABLE"

2. Title, line 5.

Following: "TAXPAYER"

Insert: " ; "

3. Title, line 5 through line 6.

Strike: "WHOSE" on line 5 through "MCA;" on line 6

4. Page 1, line 11.

Strike: "Low-income credit"

Insert: "Credit"

5. Page 1, line 25 through line 27.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

6. Page 1, line 28.

Strike: "50% "

Insert: "20% "

7. Page 2, line 4 through line 6.

Strike: subsection (5) in its entirety

Insert: "(4) The credit allowed under this section may not exceed the taxpayer's income tax liability, and there is no carryback or carryforward of the credit permitted under this section."

8. Page 2, line 8 through line 10.

Strike: subsection (7) in its entirety

9. Page 2, line 12 through page 6, line 21.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

3/30/2007

SB 27, be amended as follows:

1. Title, lines 7 through 10.

Strike: " ; REQUIRING " on line 7 through "COURT" on line 10

2. Page 1, line 30.

Strike: "IN THE CASE OF AN"

Insert: ", if the District Court determines the parent to be a fit parent and an"

3. Page 2, line 1.

Following: "PARENT"

Insert: ", "

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4. Page 2, line 19.

Following: "if"

Insert: "the parent is found to be unfit and the contact is in the best interest of the child or, if the court determines the parent to be a fit parent,"

5. Page 2.

Following: line 30

Insert: "(2) Before a court may grant a petition brought pursuant to this section for grandparent-grandchild contact over the objection of a parent whose parental rights have not been terminated, the court shall make a determination whether the objecting parent is a fit parent. A determination of fitness and granting of the petition may be made only after a hearing, upon notice as determined by the court.

(3) A determination of unfitness may be made only if the court, based upon clear and convincing evidence, makes one or more of the determinations provided in 42-2-608(1) or finds that one or more of the events provided for in that subsection have occurred.

(4) Grandparent-grandchild contact may be granted over the objection of a parent determined by the court pursuant to subsection (2) to be unfit only if the court also determines by clear and convincing evidence that the contact is in the best interest of the child."

Renumber: subsequent subsections

6. Page 3, line 2.

Strike: "after a hearing and"

7. Page 3.

Following: line 17

Insert: "(9) A determination pursuant to subsection (2) that a parent is unfit has no effect upon the rights of a parent, other than with regard to grandparent-grandchild contact if a petition pursuant to this section is granted, unless otherwise ordered by the court."

And, as amended, be concurred in. Report adopted.

SB 31, be amended as follows:

1. Page 1, line 12 through page 2, line 7.

Strike: "WHEREAS" on line 12 through "CONSTITUTION." on page 2, line 7

2. Page 3.

Following: line 6

Insert: "NEW SECTION. Section 1. Legislative finding and purpose -- definitions. (1) The legislature recognizes that the right of parents to the custody and control of their children is based upon the liberties secured by the United States and Montana constitutions and that a parent's right to that custody and control is therefore normally supreme to the interests of other persons. The legislature also recognizes a growing phenomenon in which absent or otherwise unavailable parents have temporarily surrendered the custody and care of a child to a grandparent or other caretaker relative for a lengthy period of time. The legislature finds that a caretaker relative frequently offers a child a loving, stable, and secure environment in which to live, make friends, and attend school, which is an environment not provided by a parent who temporarily abandons a child. However, a child is deprived of that caring and safe environment when a parent returns to claim the child with little or no notice to the caretaker relative. This situation, which in some instances has occurred multiple times with the same child, is disruptive to the more stable life offered by the caretaker relative and may violate the child's rights ensured by Article II, section 15, of the Montana constitution, such as the right under Article II, section 3, of the Montana constitution of seeking safety, health, and happiness. For these reasons, it is the purpose of the legislature in enacting [section 2] and this section to exercise its police

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powers for the health and welfare of children who have been abandoned by their parents to the care of relatives and to create a procedure, applicable in limited situations caused by the voluntary surrender of a child by a parent, under circumstances indicating abandonment, whereby a child in the care of a relative may remain with that relative while the issue of abandonment by the parent is reviewed and determined by a court of law. The legislature believes that this temporary infringement on the right of a parent to the custody and control of a minor child is justified by the possibility of abandonment by the parent, because the welfare of the child is at stake, and because of the likely violation of the child's rights ensured by Article II, section 15, of the Montana constitution.

(2) As used in [section 2] and this section, the following definitions apply:

(a) "Caretaker relative" or "relative" means an individual related to a child by blood, marriage, or adoption by another individual, who has care and custody of a child but who is not a parent, foster parent, stepparent, or legal guardian of the child.

(b) "Parent" means a biological or adoptive parent or other legal guardian of a child."

Renumber: subsequent sections

3. Page 3, line 16.

Following: "file"

Insert: ", without payment of a filing fee,"

4. Page 4, line 7.

Strike: "10-point"

Insert: "14-point"

5. Page 5, line 1.

Following: "3"

Insert: "business"

6. Page 5, line 6.

Following: "3"

Insert: "business"

7. Page 5, line 12.

Strike: "the clerk shall send"

8. Page 5, line 13.

Following: "order"

Insert: "must be sent"

9. Page 5, line 30 through page 6, line 4.

Strike: subsection (9) in its entirety

Insert: "(9) Subject to availability of appropriations, the attorney general shall prepare a form for the affidavit provided for in this section and shall distribute the form as the attorney general determines appropriate."

10. Page 6, line 6.

Strike: "[SECTION 1] IS"

Insert: "[Sections 1 and 2] are"

11. Page 6, line 7.

Strike: ", CHAPTER 9"

12. Page 6, lines 7 and 8.

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Strike: ", CHAPTER 9,"

13. Page 6, line 8.

Strike: "[SECTION 1]"

Insert: "[sections 1 and 2]"

14. Page 6, line 11.

Strike: "1(8)(B)"

Insert: "2(8)(b)"

15. Page 6, line 13.

Strike: "1(8)"

Insert: "2(8)"

And, as amended, be concurred in. Report adopted.

SB 133, be amended as follows:

1. Page 2, line 22.

Following: the first "the"

Insert: "first \$2,000 of the cash value of the"

Following: "contracts"

Insert: ", considered together, that are"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

3/30/2007

SJR 26, be amended as follows:

1. Page 1, line 13 through line 14.

Strike: "AND A LACK OF A CLEAR AND FAIR CITY-COUNTY PLANNING PROCESS TO GUIDE ANNEXATIONS HAVE"

Insert: "has"

2. Page 1, line 26.

Strike: ", PLANNING, AND ANNEXATION LAWS OVERLAP"

Insert: "overlaps"

And, as amended, be concurred in. Report adopted.

EDUCATION (Jore, Chairman):

3/30/2007

SB 266, be concurred in. Report adopted.

SJR 4, be concurred in. Report adopted.

LOCAL GOVERNMENT (Arntzen, Chairman):

3/30/2007

HJR 50, be adopted. Report adopted.

SB 406, be concurred in. Report adopted.

SB 527, be amended as follows:

1. Title, page 1, line 7.

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Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 19.

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

3/30/2007

SB 172, be amended as follows:

1. Title, page 1, line 6.

Strike: ", 5-7-208,"

Insert: "AND"

2. Title, page 1, line 7.

Strike: "AND 5-7-210,"

3. Page 2, line 22.

Following: the second "official"

Strike: the first "┐"

Insert: "or"

4. Page 2, line 22 through line 23.

Strike: ", or" on line 22 through "legislators" on line 23

5. Page 2, line 25.

Strike: "a legislator,"

6. Page 3, line 1.

Following: "official"

Strike: the first "┐"

Insert: "or"

Strike: ", or legislators"

7. Page 3, line 6.

Strike: the first "┐"

Insert: "or"

Strike: ", or legislators"

8. Page 3, line 9.

Following: the second "┐"

Insert: "or"

9. Page 3, line 10.

Strike: ", or legislators"

10. Page 3, line 23.

Following: "government"

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Insert: "or a legislator"

11. Page 3, line 28.

Strike: the first " 1 "

Insert: " or"

Strike: " , or a legislator "

12. Page 3, line 30.

Strike: the first " 1 "

Insert: "or"

Strike: " , or a legislator "

13. Page 4, line 5.

Strike: the first " 1 "

Insert: "or"

Strike: " , or legislators "

14. Page 4, line 7.

Strike: the first " 1 "

Insert: "or"

Strike: " , or legislators "

15. Page 4, line 9 through page 5, line 21.

Strike: section 2 in its entirety

Renumber: subsequent sections

16. Page 5, line 25.

Strike: the first " 1 "

Insert: "or"

Strike: the second " 1 "

17. Page 5, line 26.

Strike: " or a legislator "

18. Page 6, line 1 through line 6.

Strike: section 4 in its entirety

And, as amended, be concurred in. Report adopted.

SB 181, be concurred in. Report adopted.

SB 253, be concurred in. Report adopted.

SB 374, be concurred in. Report adopted.

SB 443, be concurred in. Report adopted.

SB 489, be amended as follows:

1. Page 1, line 17.

Strike: " SUBSECTION (2) "

Insert: "subsections (3) and (4)"

2. Page 1, line 18.

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Following: "stock"

Insert: "in the same manner that a prudent expert acting in a fiduciary capacity and familiar with the circumstances would use"

3. Page 1.

Following: line 26

Insert: "(2) The public school fund and the permanent funds of the Montana university system and all other state institutions of learning shall be safely and conservatively invested in:

(a) Public securities of the state, its subdivisions, local government units, and districts within the state, or

(b) Bonds of the United States or other securities fully guaranteed as to principal and interest by the United States, or

(c) Such other safe investments that a prudent expert acting in a fiduciary capacity and familiar with the circumstances would use in investing a fund guaranteed against loss or diversion."

Renumber: subsequent sections

4. Page 2, line 3.

Following: "~~fund~~"

Insert: "state compensation insurance fund"

5. Page 2, line 5.

Following: "~~organization~~"

Insert: "in the conduct of a private insurance organization. State compensation insurance fund assets may be invested in private corporate capital stock. However, the stock investments shall not exceed 25 percent of the book value of the state compensation insurance fund's total invested assets"

And, as amended, be concurred in. Report adopted.

SB 497, be amended as follows:

3/30/2007

1. Title, page 1, line 6.

Following: "CAPITOL"

Insert: "OR CAPITOL COMPLEX"

2. Page 2, line 11.

Strike: "and"

3. Page 2, line 12.

Following: "engineering"

Insert: "; and

(i) a community representative"

4. Page 2, line 19.

Strike: "outside"

Insert: "nonstate"

5. Page 2, line 25.

Strike: "COMMISSION IN CONSULTATION WITH THE"

6. Page 4, line 16.

Strike: "EXCEPT AS PROVIDED IN [SECTION 1(4)], THE"

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Insert: "The"

7. Page 4, line 19 through line 20.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):

3/30/2007

HB 840, do pass. Report adopted.

SB 251, be concurred in. Report adopted.

SB 414, be concurred in. Report adopted.

SB 422, be concurred in. Report adopted.

SPECIAL ORDERS OF THE DAY

HB 848, introduced by Olson, the following sponsor was added: Representative French.

HJR 52, introduced by Dickenson, the following sponsors were added:

Reps. Augare, Caferro, Callahan, Campbell, Cohenour, Ebinger, Erickson, French, Furey, Hamilton, Hands, Hawk, Henry, Hollenbaugh, McAlpin, McChesney, Noonan, O'Hara, Parker, Raser, Reinhart, Sands, Van Dyk, Wiseman.

SB 562, introduced by Laslovich, the following sponsors were added:

Reps. Augare, Ebinger, Hollenbaugh, Phillips, Sesso, Wiseman.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House stand in recess until 5:45 p.m.

House resumed at 5:45 p.m. Mr. Speaker in the chair. All members present except for Representative Clark, Representative Himmelberger, Representative Olson and Representative Kottel, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cordier in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 36 - Representative Nooney moved **SB 36** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: Stoker.
Total 1

SB 47 - Representative Ankney moved **SB 47** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Hendrick, Lambert.
Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: Branae, Mr. Speaker.
Total 2

SB 51 - Representative Dickenson moved **SB 51** be concurred in.

SB 51 - Representative Keane moved for cloture. Motion carried.

SB 51 - The motion that **SB 51** be concurred in, carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Kottel, McAlpin, McNutt, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.
Total 53

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Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 47

Voted Absentee: Kottel, Aye; Clark, Himmelberger, Olson, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 74 - Representative Keane moved **SB 74** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 87

Noes: Butcher, Everett, Hawk, Hendrick, Ingraham, Jore, Kasten, Kerns, Koopman, Sinrud, Wells, Witte, Mr. Speaker.
Total 13

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 103 - Representative Dickenson moved **SB 103** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 86

Noes: Beck, Hilbert, Ingraham, Jore, Kasten, Koopman, Lake, Rice, Sonju, Taylor, Wells, Witte.
Total 12

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Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.

Total 0

Absent or not voting: Sinrud, Mr. Speaker.

Total 2

SB 150 - Representative Lake moved **SB 150** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Kerns, Koopman, Lange.

Total 4

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 160 - Representative Sonju moved **SB 160** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Everett, Hawk, Jore, Kasten, Kerns, Koopman, Sinrud, Stoker, Wells, Witte, Mr. Speaker.

Total 11

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.

Total 0

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Absent or not voting: L. Jones.
Total 1

SB 169 - Representative K. Peterson moved **SB 169** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Mr. Speaker.
Total 95

Noes: Mendenhall, Taylor, Wells, Windy Boy, Witte.
Total 5

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Augare assumed the chair.

SB 177 - Representative Gallik moved **SB 177** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Wells.
Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: Keane.
Total 1

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SB 193 - Representative Cordier moved **SB 193** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 98

Noes: None.
Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: Sinrud, Mr. Speaker.
Total 2

SB 200 - Representative Lambert moved consideration of **SB 200** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Jore, Koopman.
Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Olson, Ayes.

Excused: None.
Total 0

Absent or not voting: Hawk, W. Jones, Keane, Mendenhall, Sinrud.
Total 5

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Saturday, March 31, 2007. Motion carried.

House adjourned at 7:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 31, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative McGillvray. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Clark, Representative Himmelberger and Representative Kottel, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

3/30/2007

Correctly engrossed: **HB 27, HB 801, HB 843, SB 89, SB 213, SB 365, SB 539, SB 258, HB 39, HB 179, HB 637, SB 354, SB 478, SB 505, SB 518, SB 222.**

Signed by the Chief Clerk of the House at 3:30 p.m., March 30, 2007: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Signed by the Speaker at 9:30 a.m., March 31, 2007: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

Signed by the President at 5:00 p.m., March 30, 2007: **HB 37, HB 91, HB 166, HB 206, HB 242, HB 253, HB 259, HB 427, HB 532, HB 756, HB 789, HB 803.**

Signed by the President at 11:30 a.m., March 31, 2007: **HB 57, HB 198, HB 437, HB 786, HJR 1, HJR 4, HJR 7, HJR 17.**

APPROPRIATIONS (Sinrud, Chairman):

3/31/2007

HB 39, introduced bill, be amended as follows:

1. Title, line 12.

Strike: "INCREASING"

Insert: "DECREASING"

2. Page 4, line 14 through line 16.

Strike: "The department" on line 14 through "The" on line 16

Insert: "A"

Following: "fee" on line 16

Insert: "of \$5"

3. Page 4, line 26.

Strike: "\$500"

Insert: "\$7.50"

And, as amended, do pass. Report adopted.

HB 637, introduced bill, be amended as follows:

1. Title, line 6.

Following: "ON"

Insert: "STATE MILITARY"

2. Title, line 6 through line 7.

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Strike: "IN" on line 6 through "EMERGENCY" on line 7

3. Title, line 8.

Following: "EFFECTIVE DATE"

Insert: ", "

Strike: "AND"

Following: "APPLICABILITY DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 1, line 24.

Following: "for"

Insert: "state military"

5. Page 1, line 24 through line 25.

Strike: "required" on line 24 through "constitution" on line 25

6. Page 2, line 12.

Following: "for"

Insert: "state military"

7. Page 2, line 12 through line 13.

Strike: "required" on line 12 through "constitution" on line 13

8. Page 2.

Following: line 19

Insert: "NEW SECTION. **Section 4. Termination.** [This act] terminates December 31, 2008."

And, as amended, do pass. Report adopted.

HB 179, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "guard"

Insert: "or reserve component"

2. Page 2, line 11.

Following: "means a"

Insert: "Montana resident who is a"

Following: "guard"

Insert: "or reserve component, as defined in 38 U.S.C. 101, and"

3. Page 2, line 20.

Following: "and"

Insert: ":",

Strike: "whose"

Insert: "(a) the member's"

4. Page 2, line 21.

Following: "salary;"

Insert: "or

(b) the member or a family member is experiencing a significant emergency that warrants financial

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assistance;"

5. Page 2, line 28.

Strike: "of the Montana national guard"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

3/31/2007

SB 258, be amended as follows:

1. Page 1, line 13.

Strike: "HAS" through the second "NUMBER"

Insert: "is an unlawful alien"

2. Page 1, lines 14 and 15.

Strike: "DOES" on line 14 through "NUMBER" on line 15

Insert: "is an unlawful alien"

3. Page 1, lines 15 and 16.

Strike: "SHALL" on line 15 through "DEPARTMENT" online 16

4. Page 1.

Following: line 29

Insert: "(3) Once an applicant for a license or renewal of a license has been determined by the department not to be an unlawful alien, that determination may be used by the department for the purposes of subsequent license renewals or applications."

Renumber: subsequent subsection

5. Page 1, line 30 through page 2, line 1.

Strike: "individual" on page 1, line 30 through "States" on page 2, line 1

Insert: "unauthorized alien, as defined in 8 U.S.C. 1324a(h)(3)"

6. Page 2, line 5.

Following: "INCLUDING"

Insert: "the following documents or documents that succeed them"

And, as amended, be concurred in. Report adopted.

SB 321, be concurred in. Report adopted.

SB 444, be concurred in. Report adopted.

EDUCATION (Jore, Chairman):

3/31/2007

SB 89, introduced bill, be amended as follows:

1. Page 1, line 10 through line 30.

Strike: line 10 through line 30 in their entirety

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

3/31/2007

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SB 442, be concurred in. Report adopted.

HUMAN SERVICES (Stoker, Chairman):
SB 354, be amended as follows:

3/31/2007

1. Page 1, line 12.
Strike: "weighted"

2. Page 1, line 17.
Strike: "WEIGHTED"

And, as amended, be concurred in. Report adopted.

SB 478, be amended as follows:

1. Page 1, line 15 through line 16.
Strike: line 15 through line 16

2. Page 2, line 3.
Following: "corrections,"
Insert: "department of military affairs,"

3. Page 2, line 14.
Following: "professionals,"
Insert: "military personnel,"

4. Page 2, line 22.
Following: "include"
Insert: ": (a)"

5. Page 2, line 23.
Following: "rate"
Strike: ", "
Insert: "; (b)"
Following: "reduce suicide"
Strike: ", "
Insert: "; (c)"

6. Page 2, line 24 and 25.
Strike: "specifically Montana's American Indian population, and" on line 24
Insert: "including but not limited to American Indians, veterans, and youth; (d)"
Strike: ". The" on line 24 through "include" on line 25
Insert: "; and (e)"

7. Page 3, line 9 through line 10.
Strike: subsection (3) in its entirety
Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

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SB 505, be amended as follows:

1. Title, page 1, line 6.

Following: "VACCINE;"

Strike: "AND"

2. Title, page 1, line 7.

Following: "2005"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 3.

Following: line 13

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 518, be amended as follows:

1. Page 3, line 10.

Following: "(15)"

Insert: "(a)"

2. Page 3.

Following: line 10

Insert: "(b) The term does not include an abortion, as defined in 50-20-104."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

3/31/2007

SB 213, be amended as follows:

1. Title, line 6 through line 8.

Strike: "VALUATION" on line 6 through "PROVIDING THAT THE" on line 8

2. Page 1, line 22 through line 23.

Strike: "The valuation" on line 22 through "access." on line 23

3. Page 2, line 3 through line 4.

Strike: "THE VALUATION" on line 3 through "ACCESS." on line 4

4. Page 3, line 5 through line 6.

Strike: "THE VALUATION" on line 5 through "ACCESS." on line 6

And, as amended, be concurred in. Report adopted.

SB 365, be amended as follows:

1. Page 1, line 15.

Following: "Record of ~~daily~~"

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Insert: "daily"

Following: "keep a ~~daily~~"

Insert: "daily"

And, as amended, be concurred in. Report adopted.

SB 370, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

3/31/2007

HB 843, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "OWNED BY THE TAXPAYER THAT INCLUDES LAND"

2. Page 1, line 12 through line 13.

Strike: "the" on line 12 through "ownership" on line 13

Insert: "land"

3. Page 1, line 14 through line 15.

Following: "easement" on line 14

Strike: ", excluding" on line 14 through "easement" on line 15

4. Page 1, line 16 through line 17.

Strike: "(i)" on line 16 through "department." on line 17

Insert: "An owner or operator of a transmission line shall apply to the department for an exemption under this section on a form provided by the department."

Following: "description" on line 17

Insert: "and a digitized certificate of survey prepared by a surveyor registered with the board of professional engineers and professional land surveyors provided for in 2-15-1763"

5. Page 1, line 20 through line 21.

Strike: subsection (ii) in its entirety

6. Page 1, line 24.

Strike: "taxpayer"

Insert: "owner or operator of a transmission line"

And, as amended, do pass. Report adopted.

SB 539, be amended as follows:

1. Title, line 6.

Following: "ACCOUNT;"

Insert: "PROVIDING FOR DEPOSITS INTO THE ACCOUNT, INCLUDING A ONE-TIME TRANSFER FROM THE GENERAL FUND; PROVIDING FOR PAYMENTS FROM THE ACCOUNT;"

2. Title, line 17.

Following: "TIME;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

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3. Title, line 18.

Strike: the first "AND"

Following: "15-15-104,"

Insert: "AND 17-7-502,"

4. Page 5.

Following: line 8

Insert: "(6) Payments out of the account are statutorily appropriated, as provided in 17-7-502, to the department for the purposes of subsections (3) through (5)."

5. Page 15, line 22 through page 19, line 16.

Strike: section 10 in its entirety

Renumber: subsequent sections

6. Page 23.

Following: line 20

Insert: "Section 16. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; section 5; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

Renumber: subsequent sections

7. Page 24, line 17.

Insert: "NEW SECTION. **Section 18. General fund transfer -- limitations.** (1) Subject to subsection (2), there

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is a one-time transfer of \$14.5 million from the general fund at the beginning of fiscal year 2008.

(2) In order to maintain an adequate general fund ending fund balance, if the office of budget and program planning projects an unreserved general fund balance of less than \$100 million during any year of the 2009 biennium, the office of budget and program planning may reduce the one-time transfer provided for in subsection (1) by requiring the department of revenue to transfer money from the property tax protest risk management account to the state general fund on a schedule that promotes statewide management goals for cash flow and fund balance."

Renumber: subsequent sections

8. Page 24, line 28.

Strike: "-- contingent voidness" on line 28

9. Page 24, line 29.

Strike: "[" through "are"

Insert: "[this act] is"

10. Page 24, line 30.

Strike: "and" through "void"

11. Page 25, line 1 through line 6.

Strike: subsection (2) in its entirety

Insert: "(2) [Section 18] is effective July 1, 2007."

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):

3/31/2007

SB 222, be amended as follows:

Title, line 4

Strike: "25"

Insert: "20"

1. Title, line 5.

Following: "LIMIT"

Insert: "IN CERTAIN SITUATIONS"

2. Page 2, line 3.

Following: "greater."

Insert: "when driving in a lane that is directly next to the emergency vehicle or police vehicle,"

3. Page 2, line 3.

Strike: "."

Insert: "reduce the vehicle's speed by at least 20 miles per hour below the posted speed limit."

4. Page 2.

Strike: line 4 through line 11

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

3/30/2007

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SB 220, introduced by Elliott
SB 436, introduced by Gebhardt
SB 550, introduced by Laible

House bills concurred in and returned to the House: 3/31/2007
HB 112, introduced by Arntzen
HB 265, introduced by Ebinger

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 3/30/2007
HB 450, introduced by Pomnichowski

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committee:
SB 220, introduced by Elliott, referred to Taxation.
SB 436, introduced by Gebhardt, referred to Taxation.
SB 550, introduced by Laible, referred to Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 36 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Ward.
Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Franklin, Sinrud.
Total 2

SB 47 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Ward.

Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Franklin, Sinrud.

Total 2

SB 51 failed as follows:

Ayes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McGillvray, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Voted Absentee: Kottel, Aye; Clark, Himmelberger, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 71 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 99

Noes: Koopman.
Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 74 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Blasdel, Butcher, Everett, Hawk, Hendrick, Hilbert, Ingraham, Jore, Kasten, Kerns, Koopman, Sinrud, Sonju, Vincent, Wells, Witte, Mr. Speaker.
Total 17

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 92 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jayne, Jore, Koopman.
Total 3

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Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 103 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Ingraham, Jore, Kasten, Koopman, Lake, Rice, Ripley, Stahl, Taylor, Ward, Wells, Witte.

Total 12

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 150 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Kerns, Koopman, Stoker.

Total 4

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 153 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 90

Noes: Everett, Hendrick, Jayne, Jore, Kasten, Koopman, Sinrud, Wells, Witte, Mr. Speaker.
Total 10

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 160 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 90

Noes: Everett, Hawk, Jore, Kasten, Kerns, Koopman, Lake, Wells, Witte, Mr. Speaker.
Total 10

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 165 concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jayne, Jore, Kerns, Koopman, Morgan, Peterson.

Total 6

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Sinrud.

Total 1

SB 169 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Beck, Blasdel, Heinert, Hilbert, Mendenhall, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte.

Total 12

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 177 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 193 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Lambert, Morgan.

Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 248 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

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Noes: Beck, Caferro, Hendrick, Jayne, Jore, Koopman, Malcolm, Sonju, Witte, Mr. Speaker.
Total 10

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 270 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 95

Noes: Butcher, Jore, Koopman, Stoker, Mr. Speaker.
Total 5

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wells in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 200 - Representative Lambert moved **SB 200** be concurred in.

SB 200 - Speaker Sales moved **SB 200**, second reading copy, be amended as follows:

1. Page 2, line 17.

Strike: the second "each"

Insert: "the majority party and one from the minority"

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Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB200 - The motion to pass **SB 200**, as amended, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Koopman.

Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 363 - Representative Ward moved **HB 363**, with **Senate Amendments**, be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Koopman.

Total 2

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 273 - Representative Mendenhall moved **HB 273** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Campbell.

Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 330 - Representative Bergren moved **HB 330** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh,

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Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Beck, Boggio, Everett, Heinert, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Witte, Mr. Speaker.

Total 22

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 556 - Representative McChesney moved **HB 556** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Peterson.

Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 790 - Representative L. Jones moved **HB 790** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker,

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Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 114 - Representative Heinert moved **SB 114** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Sinrud.

Total 1

SB 132 - Representative Reinhart moved **SB 132** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Ankney, Beck, Blasdel, Boggio, Caferro, Everett, Hawk, Henry, Kerns, Mendenhall, Sinrud, Sonju, Villa, Vincent, Wells, Witte, Mr. Speaker.

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Total 17

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 204 - Representative Klock moved **SB 204** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, Franklin, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 76

Noes: Becker, Bixby, Branae, Callahan, Cohenour, Dickenson, Driscoll, Erickson, French, Grinde, Hands, Hendrick, Ingraham, Jayne, Jore, Koopman, Lambert, McNutt, Morgan, Raser, Sinrud, Villa, Mr. Speaker.

Total 23

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

SB 219 - Representative Musgrove moved **SB 219** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Callahan, Cohenour, Jayne.

Total 3

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

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Total 0

Absent or not voting: Glaser, L. Jones.

Total 2

SB 224 - Representative K. Peterson moved **SB 224** be concurred in. Motion **failed** as follows:

Ayes: Arntzen, Branae, Callahan, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Hamilton, Henry, Hilbert, Himmelberger, Hollenbaugh, W. Jones, Kottel, MacLaren, Malcolm, McAlpin, McGillvray, Musgrove, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Small-Eastman, Stoker, Van Dyk, Villa, Wilmer, Windy Boy.

Total 37

Noes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Campbell, Driscoll, Dutton, Everett, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hiner, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 63

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 246 - Representative Driscoll moved **SB 246** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Boggio, Ingraham, Jore, Kasten, Lange, MacLaren, Sinrud, Witte, Mr. Speaker.

Total 9

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: Glaser, L. Jones.

Total 2

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SB 282 - Representative Ward moved **SB 282** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 285 - Representative Jacobson moved **SB 285** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Olson, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy.

Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Grinde, Hawk, Heinert, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, O'Hara, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wiseman, Witte, Mr. Speaker.

Total 41

Voted Absentee: Clark, Kottel, Ayes; Himmelberger, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 286 - Representative Dickenson moved **SB 286** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner,

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Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Koopman, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 54

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Witte, Mr. Speaker.
Total 46

Voted Absentee: Clark, Kottel, Ayes; Himmelberger, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 293 - Representative Vincent moved **SB 293** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 295 - Representative Hendrick moved **SB 295** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker,

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Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Becker, Bixby, Everett, Franklin, Jayne, Jore, Koopman, Mendenhall, Morgan, Musgrove, Sinrud, Sonju, Witte, Mr. Speaker.
Total 15

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 299 - Representative Rice moved **SB 299** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Himmelberger, Ingraham, Jayne, Jore, Kasten, Koopman, Mendenhall, Nooney, Sinrud, Taylor, Witte, Mr. Speaker.
Total 17

Voted Absentee: Clark, Kottel, Ayes; Himmelberger, No.

Excused: None.
Total 0

Absent or not voting: Dutton.
Total 1

SB 305 - Representative L. Jones moved **SB 305** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

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Noes: None.
Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: McGillvray.
Total 1

SB 308 - Representative Taylor moved **SB 308** be concurred in Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Bergren, Branae, Butcher, Clark, Cordier, Dickenson, Ebinger, Everett, Furey, Glaser, Grinde, Groesbeck, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson.
Total 64

Noes: Ankney, Becker, Bixby, Blasdel, Boggio, Caferro, Callahan, Campbell, Cohenour, Driscoll, Dutton, Erickson, Franklin, French, Gallik, Hamilton, Hands, Hawk, Ingraham, Jore, Kasten, Koopman, McAlpin, Mendenhall, Olson, Pomnichowski, Raser, Reinhart, Sands, Sinrud, Villa, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 35

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Lambert.
Total 1

SB 309 - Representative K. Peterson moved **SB 309** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Bixby, Dickenson, Driscoll, Erickson, Hands, McAlpin, Musgrove.
Total 7

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 312 - Representative L. Jones moved consideration of **SB 312** be passed for the day. Motion carried.

SB 317 - Representative Mendenhall moved **SB 317** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Koopman.
Total 1

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: Butcher, Mendenhall.
Total 2

SB 318 - Representative Kerns moved **SB 318** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Becker, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Franklin, Gallik, Grinde, Groesbeck, Hollenbaugh, Jacobson, Jayne, Musgrove, Noonan, Peterson, Raser, Sands, Small-Eastman, Windy Boy.

Total 23

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

SB 364 - Representative Ingraham moved **SB 364** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Himmelberger, Kottel, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wells moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ripley, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 88

Noes: Koopman.
Total 1

Excused: Clark, Himmelberger, Kottel.
Total 3

Absent or not voting: Campbell, Henry, Lake, Noonan, Raser, Rice, Ross, Sands.
Total 8

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MOTIONS

HB 554 - Representative Cohenour moved **HB 554** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on Legislative Day 70. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 41

Excused: Clark, Himmelberger, Kottel.
Total 3

Absent or not voting: Hilbert, L. Jones, Raser, Ripley.
Total 4

HB 665 - Representative Arntzen moved **HB 665** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on Legislative Day 70. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Cohenour, Cordier, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hollenbaugh, Ingraham, W. Jones, Jopek, Klock, Malcolm, McAlpin, McChesney, McGillvray, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilson, Wiseman, Witte.
Total 54

Noes: Barrett, Beck, Blasdel, Butcher, Dickenson, Driscoll, Everett, Franklin, Glaser, Hawk, Hiner, Jacobson, Jayne, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, McNutt, Morgan, Nooney, Olson, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Villa, Wells, Wilmer, Windy Boy.
Total 37

Excused: Clark, Himmelberger, Kottel.
Total 3

Absent or not voting: Campbell, Heinert, L. Jones, Raser, Ripley, Mr. Speaker.
Total 6

HB 753 - Representative Hands moved **HB 753** be taken from the table in the Committee on Natural Resources, be printed and placed on second reading on Legislative Day 70. Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips,

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Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, Ingraham, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Excused: Clark, Himmelberger, Kottel.

Total 3

Absent or not voting: Campbell, Heinert, L. Jones, Raser, Ripley.

Total 5

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wells in the chair. Representative Heinert and Representative Ripley also excused at this time.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 367 - Representative Lambert moved **SB 367** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 98

Noes: None.

Total 0

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: Sinrud, Mr. Speaker.

Total 2

SB 378 - Representative Grinde moved **SB 378** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Jore, Kasten, Koopman, Mendenhall, Stahl, Vincent.

Total 6

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 440 - Representative Thomas moved **SB 440** be concurred in.. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Kasten, Koopman.

Total 3

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

SB 453 - Representative Keane moved **SB 453** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn,

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Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 95

Noes: Jore, Kerns, Koopman, Witte.

Total 4

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: Jayne.

Total 1

SB 459 - Representative Phillips moved **SB 459** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Beck, Boggio, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Ripley, Sinrud, Witte.

Total 14

Voted Absentee: Clark, Heinert, Kottel, Ayes; Himmelberger, Ripley, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 465 - Representative McNutt moved **SB 465** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Dutton, Furey, Grinde, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Kasten, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Olson, Parker, Pomnichowski, Reinhart, Ripley, Ross, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilson, Windy Boy.

Total 55

Noes: Beck, Bergren, Caferro, Callahan, Cohenour, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Groesbeck, Hands, Hawk, Jayne, Jopek, Jore, Kerns, Koopman, Lake, Lange, McAlpin, Musgrove, Noonan, Nooney, O'Hara, Peterson, Phillips, Raser, Rice, Sands, Sesso, Sinrud, Sonju, Stoker, Villa, Wells, Wilmer,

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Wiseman, Witte, Mr. Speaker.
Total 43

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: Augare, W. Jones.
Total 2

SB 480 - Representative Van Dyk moved **SB 480** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 502 - Representative Ingraham moved **SB 502** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

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Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: Ingraham.

Total 1

SB 517 - Representative Ingraham moved **SB 517** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 62

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Koopman, McAlpin, McGillvray, Noonan, Pomnichowski, Raser, Reinhart, Small-Eastman, Stoker, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.

Total 37

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: Phillips.

Total 1

SB 532 - Representative Olson moved **SB 532** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 77

Noes: Beck, Blasdel, Butcher, Dutton, Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, Malcolm, McGillvray, Mendenhall, O'Hara, Peterson, Rice, Ripley, Sonju, Taylor, Wells, Mr. Speaker.

Total 23

Voted Absentee: Clark, Heinert, Kottel, Ayes; Himmelberger, Ripley, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 538 - Representative Wilmer moved consideration of **SB 538** be passed for the day. Motion carried.

SJR 22 - Representative Mendenhall moved **SJR 22** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 85

Noes: Barrett, Boggio, Erickson, Gallik, Groesbeck, Hands, Hilbert, Hiner, Jopek, Kasten, Musgrove, Peterson, Raser, Taylor, Mr. Speaker.
Total 15

Voted Absentee: Clark, Heinert, Himmelberger, Kottel, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 25 - Representative Hendrick moved consideration of **SJR 25** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wells moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Clark, Heinert, Himmelberger, Kottel, Ripley.
Total 5

Absent or not voting: Keane, Stahl, Wells.

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Total 3

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 12:30 p.m., Monday, April 2, 2007. Motion carried.
House adjourned at 12:50 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana
April 2, 2007

House Chambers
State Capitol

House convened at 12:30 p.m. Mr. Speaker in the Chair. Invocation by Representative Mendenhall. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Wilmer, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-fifth, sixty-sixth, and sixty-seventh legislative days, find the same to be correct.

L. Jones, Chair

Speaker Sales introduced the pages of the week:

Pages:	Logan Gregg, Kalispell Danielle Labelle, Libby Sloane Real Bird, Crow Agency Kelsey Orr, Libby Jesi Roedel, Kalispell Allison Gossack, Great Falls Michelle Cronquist, Columbia Falls Abbey Francisco, Anaconda Edson Jefferson, Lodge Grass
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REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):	4/2/2007
Correctly printed: SB 321, SB 370, SB 442, SB 444.	
Delivered to the Secretary of State at 9:23 a.m., April 2, 2007: HJR 1, HJR 4, HJR 7, HJR 17.	
Delivered to the Governor for approval at 9:30 a.m., April 2, 2007: HB 37, HB 57, HB 91, HB 166, HB 198, HB 206, HB 242, HB 253, HB 259, HB 427, HB 437, HB 532, HB 756, HB 786, HB 789, HB 803.	

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:	3/31/2007
SB 138 , introduced by Wanzenried	
SB 375 , introduced by McGee	
House bills concurred in and returned to the House:	3/31/2007
HB 426 , introduced by Ross	
HB 769 , introduced by Lake	

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 138, introduced by Wanzenried, referred to Taxation.
SB 375, introduced by McGee, referred to Taxation.

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Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced Republicans would stand at ease. House resumed at 12:50 p.m.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 152 - Representative Lange moved **SB 152** be concurred in.

SB 152 - Representative Lange moved **SB 152**, second reading copy, be amended as follows:

1. Page 45, line 29 through line 30.

Strike: "(1)" on line 29 through "VOID." on line 30

Renumber: subsequent subsections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Blasdel, Lake, Sonju.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

SB 152 - Representative Lange moved consideration of **SB 152** be placed below **SB 538** on the second reading board. Motion carried.

SB 312 - Representative L. Jones moved **SB 312** be concurred in.

SB 312 - Representative Franklin moved **SB 312**, second reading copy, be amended as follows:

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1. Page 1, line 15.

Strike: "HOSPITAL"

Insert: "medicare"

Following: "CERTIFICATION"

Insert: "or for accreditation by the joint commission on accreditation of healthcare organizations"

2. Page 1, line 18.

Strike: "EXCEPT AS MAY BE REQUIRED BY MEDICAL STAFF BYLAWS."

3. Page 1, line 30.

Following: "PARTNER,"

Strike: "ASSOCIATE,"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 94

Noes: Jore, Kasten, Keane, Sinrud, Witte, Mr. Speaker.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 312 - The motion that **SB 312**, as amended, be concurred in, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Groesbeck, Keane, Koopman.

Total 3

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Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 538 - Representative Lange moved consideration of **SB 538** be passed for the day. Motion carried.

SB 152 - Representative Lange moved consideration of **SB 152** be placed below **SB 801** on the second reading board. Motion carried.

SJR 25 - Representative Hendrick moved **SJR 25** be concurred in.

SJR 25 - Representative Hendrick moved **SJR 25**, second reading copy, be amended as follows:

1. Title, line 6.

Strike: "SOLDIERS"

Insert: "MILITARY PERSONNEL"

2. Title, line 7.

Strike: "SOLDIERS"

Insert: "MILITARY PERSONNEL"

3. Title, line 9.

Strike: "SOLDIERS"

Insert: "MILITARY PERSONNEL"

4. Page 1, line 12.

Strike: "soldiers"

Insert: "military personnel"

5. Page 1, line 14.

Strike: "soldiers"

Insert: "military personnel"

6. Page 1, line 17.

Strike: "soldiers"

Insert: "military personnel"

7. Page 1, line 22.

Strike: "every"

Insert: "all"

Strike: "soldiers"

Insert: "military personnel"

Strike: "conflict"

Insert: "war"

8. Page 1, line 26.

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Strike: "SOLDIERS"

Insert: "military personnel"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 25 - The motion that **SJR 25**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 27 - Representative Driscoll moved **HB 27** do pass.

HB 27 - Representative Klock moved **HB 27**, second reading copy, be amended as follows:

1. Page 1, line 17 through line 22.

Strike: subsection (1) in its entirety

Insert: "(1) "Allowable costs" means the actual costs associated with upgrading, purchasing, programming, installing, testing, operating, and maintaining data, hardware, and software necessary to comply with federal communications commission orders."

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Beck, Blasdel, Glaser, Hawk, Himmelberger, Kasten, Koopman, Mendenhall, Morgan, Nooney, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Vincent.

Total 1

HB 27 - The motion that **HB 27**, as amended, do pass, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 74

Noes: Blasdel, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Lange, Malcolm, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 25

Voted Absentee: Wilmer, Aye.

Excused: None.

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Total 0

Absent or not voting: Stahl.

Total 1

HB 801 - Representative MacLaren moved **HB 801** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Boggio, Butcher, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, French, Gallik, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McChesney, McNutt, Mendenhall, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Sands, Sinrud, Stahl, Stoker, Thomas, Van Dyk, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 66

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Erickson, Franklin, Furey, Glaser, Hamilton, Henry, Jore, Koopman, Lake, Malcolm, McAlpin, McGillvray, Morgan, Musgrove, Phillips, Raser, Ross, Sonju, Taylor, Villa, Wilmer.

Total 27

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Beck, Blasdel, Driscoll, Keane, Sesso, Small-Eastman, Vincent.

Total 7

SB 152 - Representative Lange moved consideration of **SB 152** be placed below **HB 148** on the second reading board. Motion carried.

HB 828 - Representative Olson moved **HB 828** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 85

Noes: Caferro, Everett, Gallik, Hawk, Heinert, Ingraham, Jore, Kerns, Koopman, Lange, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 15

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 148 - Representative Grinde moved **HB 148** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 68

Noes: Augare, Blasdel, Boggio, Butcher, Everett, French, Glaser, Hawk, Heinert, Hendrick, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lange, Malcolm, McGillvray, Mendenhall, Nooney, Ripley, Ross, Sinrud, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 32

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 152 - Representative Lange moved consideration of **SB 152** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 840 - Representative Hilbert moved **HB 840** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Everett, Hawk, Heinert, Jayne, Jore, Kasten, Kerns, Koopman, Morgan, Nooney, Rice, Ripley, Sinrud, Stahl, Vincent, Witte, Mr. Speaker.
Total 17

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Milburn.
Total 1

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HB 844 - Representative Barrett moved **HB 844** do pass. Motion **failed** as follows:

Ayes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 47

Noes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 53

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 82

Noes: Barrett, Blasdel, Everett, Jore, Koopman, Musgrove, Peterson, Rice, Ripley, Taylor, Ward.
Total 11

Excused: Wilmer.
Total 1

Absent or not voting: Hilbert, L. Jones, Malcolm, Mendenhall, Sinrud, Sonju.
Total 6

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 273 passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Hilbert.

Total 1

HB 330 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Barrett, Clark, Everett, Glaser, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 24

Excused: None.

Total 0

Absent or not voting: Hilbert, Ward.

Total 2

HB 363 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas,

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Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 93

Noes: Jore, Koopman, Sinrud, Stahl, Witte, Mr. Speaker.
Total 6

Excused: None.
Total 0

Absent or not voting: Hilbert.
Total 1

HB 556 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Peterson, Sinrud.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 790 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

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Absent or not voting: None.
Total 0

SB 114 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Sinrud.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 132 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 77

Noes: Ankney, Beck, Blasdel, Boggio, Caferro, Everett, Glaser, Hands, Hawk, Heinert, Hendrick, Henry, Kasten, Kerns, Lange, Mendenhall, Nooney, Ripley, Sinrud, Sonju, Vincent, Wells, Witte.
Total 23

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 204 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Becker, Branae, Campbell, Cohenour, Driscoll, Erickson, French, Hands, Ingraham, Jayne, Jore, Kasten, Koopman, Morgan, Sinrud.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 219 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Augare, Callahan, Gallik, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Parker, Sinrud, Villa.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 246 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Boggio, Dutton, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lange, MacLaren, Nooney, Sinrud, Witte, Mr. Speaker.

Total 13

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 279 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: MacLaren, Sinrud, Sonju.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 282 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Sinrud.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 285 concurred in as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy.
Total 53

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Grinde, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Wiseman, Witte, Mr. Speaker.
Total 47

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 286 concurred in as follows:

Ayes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy.
Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hilbert, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Wiseman, Witte, Mr. Speaker.
Total 48

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 293 concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Sinrud, Sonju.
Total 2

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 295 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 86

Noes: Becker, Campbell, Everett, Franklin, Jore, Kasten, Koopman, Mendenhall, Morgan, Musgrove, Sinrud, Sonju, Witte, Mr. Speaker.
Total 14

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 299 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart,

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Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Ankney, Beck, Blasdel, Boggio, Everett, Glaser, Hawk, Heinert, Ingraham, Jayne, Jore, Kasten, Klock, Koopman, Lange, Mendenhall, Nooney, Olson, Ripley, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 26

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 305 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Sinrud, Windy Boy.

Total 2

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 308 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Branae, Butcher, Caferro, Clark, Cordier, Dickenson, Driscoll, Ebinger, Everett, Franklin, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Rice, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Mr. Speaker.

Total 72

Noes: Augare, Becker, Bixby, Boggio, Callahan, Campbell, Cohenour, Dutton, Erickson, French, Gallik, Hawk, Ingraham, Jore, Kasten, Koopman, McAlpin, Mendenhall, Olson, Pomnichowski, Raser, Reinhart, Ripley, Sands,

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Sinrud, Villa, Wiseman, Witte.
Total 28

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 309 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Bixby, Dickenson, Driscoll, Erickson, Hands, McAlpin, Musgrove, Sinrud.
Total 8

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 317 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Bixby, Koopman, Sinrud, Sonju.
Total 4

Voted Absentee: Wilmer, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 318 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, French, Furey, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.
Total 72

Noes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Gallik, Grinde, Groesbeck, Hollenbaugh, Jacobson, Jayne, Jopek, Musgrove, Parker, Peterson, Phillips, Raser, Sands, Sinrud, Small-Eastman, Villa, Wilson, Windy Boy.
Total 28

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 364 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Nooney, Sinrud, Sonju.
Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 367 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jore, Lange, Mendenhall, Ripley, Sinrud, Stahl, Vincent.

Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 378 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Barrett, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Sonju, Stahl, Vincent, Witte, Mr. Speaker.

Total 13

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 440 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Himmelberger, Jore, Kasten, Koopman, Lake, Mendenhall, Sinrud, Sonju, Witte, Mr. Speaker.
Total 10

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Stahl.
Total 1

SB 453 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Franklin, Hendrick, Jore, Kasten, Kerns, Nooney, Sinrud.
Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 459 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 82

Noes: Barrett, Boggio, Hawk, Heinert, Himmelberger, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, McNutt, Nooney, Ripley, Sinrud, Taylor.

Total 18

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 465 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Boggio, Branae, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Nooney, Olson, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Vincent, Ward, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Beck, Bergren, Blasdel, Butcher, Caferro, Cohenour, Everett, French, Groesbeck, Hawk, Hendrick, Hilbert, Himmelberger, Jayne, Jopek, Jore, Kerns, Lake, Lambert, McGillvray, Morgan, Noonan, O'Hara, Peterson, Phillips, Rice, Ross, Sesso, Sinrud, Taylor, Villa, Wells, Wilmer, Witte, Mr. Speaker.

Total 35

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 480 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Kerns, Lake, Nooney, Sinrud, Sonju.

Total 5

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 502 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Sinrud.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 517 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Lake, Lambert, MacLaren, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 61

Noes: Becker, Bergren, Caferro, Callahan, Cohenour, Driscoll, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Koopman, Kottel, McAlpin, McGillvray, Parker, Phillips, Pomnichowski, Raser, Sesso, Sinrud, Stoker, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 37

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

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Absent or not voting: Lange, Malcolm.
Total 2

SB 532 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Butcher, Dutton, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Nooney, Peterson, Rice, Ripley, Sinrud, Stahl, Taylor, Wells, Witte, Mr. Speaker.
Total 27

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 22 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.
Total 82

Noes: Boggio, Dickenson, Erickson, Gallik, Hands, Himmelberger, Kasten, Musgrove, Peterson, Phillips, Pomnichowski, Raser, Sinrud, Taylor, Van Dyk, Wilson, Windy Boy, Wiseman.
Total 18

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 152 - Representative Lange moved **SB 152** be concurred in.

SB 152 - Representative Lange moved **SB 152**, second reading copy, be amended as follows:

1. Page 45, line 29 through line 30.

Strike: "(1)" on line 29 through "VOID." on line 30

Renumber: subsequent subsections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Representative Small-Eastman moved **SB 152**, second reading copy, be amended:

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Representative W. Jones moved **SB 152**, second reading copy, be amended as follows:

1. Title, line 27.

Following: "PROGRAM;"

Insert: "PROVIDING FOR A VOLUNTARY MENTAL HEALTH SCREENING AND REFERRAL PROGRAM TO BE ADMINISTERED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION;"

2. Page 44, line 26.

Insert: "NEW SECTION. **Section 35. Voluntary mental health screening and referral program.** There is a voluntary mental health screening and referral program. The superintendent of public instruction shall:

(1) develop, administer, and supervise a voluntary program of mental health screening and referral for students, including voluntary training for school administrators and licensed and support staff;

(2) establish procedures to allow schools to volunteer to participate in a program of mental health screening and referral for students;

(3) establish the position of coordinator of volunteer school-based mental health screening and referral in the office of the superintendent of public instruction;

(4) establish procedures to assist a child and the child's family in volunteering for and obtaining necessary services relating to mental health screening and referral and the treatment of social, emotional, and mental health issues; and

(5) assist school districts with the voluntary conduct of mental health screening and referral for students."

Renumber: subsequent sections

3. Page 45, line 10.

Insert: "(4) [Section 35] is intended to be codified as an integral part of Title 20, chapter 7, and the provisions of Title 20, chapter 7, apply to [section 35]."

Amendment adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McChesney, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - Representative Raser moved **SB 152**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 152 - The motion that **SB 152** be concurred in, as amended, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.

Total 47

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan,

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Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 53

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 86

Noes: Callahan, Franklin, Gallik, Groesbeck, Hamilton, Hendrick, Jopek, Mendenhall, Sinrud, Stahl, Ward, Wilson.

Total 12

Excused: Wilmer.

Total 1

Absent or not voting: Milburn.

Total 1

Committee meetings were announced by committee chairs.

Majority Leader Lange moved the House stand at recess until 5:30 p.m.

The house resumed at 5:30. Mr. Speaker in the chair. All members present except for Representative Wilmer and Representative Clark, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Mendenhall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 39 - Representative Mendenhall moved consideration of **HB 39** be placed below **HB 637** on the second reading

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board. Motion carried.

HB 179 - Representative French moved **HB 179** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Everett, Jore, Morgan.

Total 3

Voted Absentee: Clark, Wilmer, Ayes.

Excused: None.

Total 0

Absent or not voting: Klock, Rice, Ross.

Total 3

HB 637 - Representative Klock moved **HB 637** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte.

Total 86

Noes: Everett, Franklin, Himmelberger, Jore, McGillvray, Morgan, Musgrove, Peterson, Sinrud, Windy Boy, Wiseman, Mr. Speaker.

Total 12

Voted Absentee: Clark, Wilmer, Ayes.

Excused: None.

Total 0

Absent or not voting: Koopman, Ripley.

Total 2

HB 39 - Representative McNutt moved **HB 39** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Gallik, Kasten, Sinrud.

Total 3

Voted Absentee: Clark, Wilmer, Ayes.

Excused: None.

Total 0

Absent or not voting: Sesso.

Total 1

HB 843 - Representative L. Jones moved **HB 843** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 89

Noes: Boggio, Dutton, Jore, Kasten, Kerns, Koopman, Morgan, Pomnichowski, Rice, Wiseman.

Total 10

Voted Absentee: Clark, Wilmer, Ayes.

Excused: None.

Total 0

Absent or not voting: Branae.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Mendenhall moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake,

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Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Hamilton, Mendenhall, Sinrud, Sonju, Windy Boy.

Total 5

Excused: Clark, Wilmer.

Total 2

Absent or not voting: Arntzen, Campbell, O'Hara, Parker, Sands.

Total 5

MOTIONS

Majority Leader Lange moved **SB 539** be re-referred to the Committee on Taxation. There being no objections, so ordered.

Majority Leader Lange moved **SB 242** be re-referred to the Committee on Taxation. There being no objections, so ordered.

Representative French moved **HB 838** be taken from the table in the Committee on Taxation, be printed and placed on second reading on Legislative Day 71. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: Clark, Wilmer.

Total 2

Absent or not voting: Parker.

Total 1

Representative Arntzen moved **HB 665** be taken from the table in the Committee on Appropriations, be printed and placed on second reading on Legislative Day 71. Motion **carried** as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Blasdel, Boggio, Branae, Caferro, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kerns, Klock, Lambert, MacLaren, Malcolm,

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McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Ross, Sands, Stahl, Taylor, Van Dyk, Vincent, Ward, Wilson, Wiseman, Witte.
Total 60

Noes: Beck, Bergren, Bixby, Butcher, Callahan, Campbell, Everett, Franklin, Gallik, Glaser, Hawk, Heinert, Himmelberger, Hiner, Jayne, Jore, Kasten, Keane, Koopman, Kottel, Lake, Lange, Musgrove, Noonan, Raser, Rice, Ripley, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Thomas, Villa, Wells, Windy Boy, Mr. Speaker.
Total 37

Excused: Clark, Wilmer.
Total 2

Absent or not voting: Parker.
Total 1

Representative Reinhart moved to reconsider action taken on **SB 51** and that it be placed on third reading on Legislative Day 71. Motion **carried** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 45

Excused: Clark, Wilmer.
Total 2

Absent or not voting: Parker.
Total 1

Representative Mendenhall moved to suspend the rules and add a sponsor to **SB 321**. The motion was later withdrawn.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 3/30/2007
Correctly enrolled: **HB 112, HB 265, HB 426, HB 769**.
Examined by the sponsor and found to be correct: **HB 265, HB 112, HB 769, HB 426**.

BUSINESS AND LABOR (Mendenhall, Chairman): 4/2/2007
SB 127, be concurred in. Report adopted.
SB 157, be concurred in. Report adopted.
SB 276, be amended as follows:

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1. Title, line 5.

Following: "INSURANCE"

Insert: "SUBJECT TO CERTAIN CONDITIONS"

2. Title, line 6.

Following: "INSURANCE";"

Strike: "AND"

Strike: "33-17-212,"

Following: "MCA"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, line 17.

Strike: "without limits on the initial guaranteed death benefit"

4. Page 1, line 21.

Following: "policy"

Insert: "or certificate"

5. Page 1, line 21.

Following: "sold"

Insert: "by a licensed insurance producer or"

6. Page 1, line 23.

Following: "policy"

Insert: "or certificate"

7. Page 2, line 5.

Strike: "applicant"

Insert: "insured"

8. Page 2, line 5 through line 6.

Strike: "if" on line 5 through "undertaker" on line 6

9. Page 2, line 8.

Strike: "MAY"

Insert: "shall"

10. Page 2, line 17.

Following: "POLICY"

Insert: "or certificate"

11. Page 2, line 18.

Following: "UNDERTAKER"

Insert: "licensed to do business in this state"

12. Page 2, line 19.

Following: "SERVICES"

Insert: "to the extent permitted by state or federal law for the purpose of the insured's eligibility for supplemental security income benefits, medicaid, or other public assistance benefits"

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13. Page 2, line following 23.

Insert: "(6) After the death of a person who at any time received medicaid benefits, a funeral director, mortician, mortuary, undertaker, or other person, including but not limited to the decedent's spouse, heir, devisee, or personal representative, who is the beneficiary of funeral insurance in excess of \$5,000 in value designated to pay for the disposition of the medicaid recipient's remains and for related expenses shall, after paying for the disposition and related expenses, pay all remaining funds to the department of public health and human services within 30 days following the receipt of the funeral insurance death benefit. The funds must be paid to the department regardless of any provision in a written contract, insurance policy, or other agreement entered into on or after [the effective date of this act] directing a different disposition of the funds. Funds paid to the department under this section are not considered to be property of the deceased medicaid recipient's estate, and the provisions of 53-6-167 do not apply to recovery of the funds by the department."

14. Page 2, following line 23.

Insert: "NEW SECTION. Section 2. Excess funeral insurance proceeds. Funeral insurance proceeds that exceed the cost of the funeral goods and services provided must be paid in accordance with the beneficiary designation in the insurance policy or certificate."

Insert: "NEW SECTION. Section 3. Rules. The commissioner may adopt rules to regulate funeral insurance, including but not limited to rules regarding licensure of producers, form review, and consumer protection."

Renumber: subsequent sections

15. Page 4, line 26 through page 6, line 15.

Strike: section 3 in its entirety

Renumber: subsequent sections

16. Page 7, line 20.

Following: "ANY"

Insert: "life insurance, other than"

Following: "insurance."

Strike: "OTHER THAN"

17. Page 7, line 27.

Following: "available"

Strike: "soliciting to sell or selling"

Insert: "selling, soliciting, or negotiating"

18. Page 7, line 29.

Following: "whom the"

Strike: "solicitation or"

Following: "sale"

Insert: ", solicitation, or negotiation"

19. Page 7, line 30 through page 8, line 1.

Following: "33-17-214"

Strike: "in" on page 7, line 30 through "1(1)(c)(ii)]" on page 8, line 1

20. Page 8, line 1.

Following: " . "

Insert: "A life insurer that sells, solicits, or negotiates funeral insurance, as defined in [section 1(1)(c)(ii)], through a funeral director, mortician, undertaker, or any employee of a mortuary or undertaker shall comply with

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the provisions of [sections 1 and 2]."

21. Page 8, following line 5.

Insert: "(3) A funeral insurance policy or certificate and any solicitation material for the policy must clearly indicate that:

- (a) the policy or certificate is a life insurance product;
- (b) the insured may designate the beneficiary; and
- (c) the beneficiary may use the proceeds for any purpose."

Renumber: subsequent subsections

22. Page 8, following line 10.

Insert: "NEW SECTION. **Section 7. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 33, chapter 20, and the provisions of Title 33, chapter 20, apply to [sections 1 through 3]."

Insert: "NEW SECTION. **Section 8. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

Insert: "NEW SECTION. **Section 9. Effective date.** [This act] is effective January 1, 2008."

And, as amended, be concurred in. Report adopted.

SB 296, be concurred in. Report adopted.

SB 491, be amended as follows:

1. Title, line 4 through line 5.

Strike: "REQUIRING" on line 4 through "LOANS;" on line 5

2. Page 3, line 2.

Strike: "and grants"

3. Page 3, line 3 through line 4.

Strike: ", grants" on line 3 through "grants" on line 4

4. Page 3, line 26.

Strike: "or grants"

5. Page 3, line 27.

Strike: "or" through "granted"

6. Page 3, line 28.

Strike: "or grants"

7. Page 4, line 20.

Strike: "or grants"

And, as amended, be concurred in. Report adopted.

SB 524, be concurred in. Report adopted.

SJR 15, be amended as follows:

1. Page 1, line 14.

Following: "that"

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Insert: "may"

2. Page 1, line 20.

Strike: line 20 in its entirety

Insert: "WHEREAS, some members of Congress, as well as some members of the Montana Legislature, have indicated an interest in further examination and study of these issues during the biennium."

3. Page 1, lines 26 and 27.

Following: "(1)"

Strike: "analyze" on line 26 through "system" line 27

Insert: "study and analyze the impacts of various models for the delivery of health care services on the cost of health care, the quality of care, and access to health care services"

4. Page 1, line 30.

Strike: "facilities"

Insert: "health care facilities, as defined in 50-5-101,"

5. Page 2, line 1.

Strike: "that these facilities provide"

Insert: "provided by physician-owned and privately owned health care facilities and specialty hospitals and the benefits and impacts of those services"

6. Page 2, line 2.

Strike: "and"

7. Page 2, lines 3 and 4.

Strike: subsection (c)

Insert: "(c) the comparative cost of services rendered by the private facilities and specialty hospitals compared to the nonprofit, community-based hospitals; and

(d) the comparative impact on a community's health care safety net of the operations of health care providers in each of the categories in subsection (1)(c);"

8. Page 2, line 9.

Following: "SYSTEM"

Insert: "and Montana's health care consumers"

9. Page 2, following line 11.

Insert: "(b) the increase in hospital-employed physicians;"

Renumber: subsequent subsections

10. Page 2, line 17.

Following: ";"

Strike: "AND"

11. Page 2, line 18.

Following: "TECHNOLOGY"

Insert: "; (h) health care costs and ways to reduce those costs; and

(i) how to empower Montanans to take a more active role in their health care and to be better health care consumers"

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And, as amended, be concurred in. Report adopted.

EDUCATION (Jore, Chairman):

4/2/2007

SB 225, be amended as follows:

1. Title, line 7.

Following: "DATE"

Insert: "AND AN APPLICABILITY PROVISION"

2. Page 1, line 13.

Following: "(1)"

Strike: "The"

Insert: "Except as provided in subsection (4), the"

3. Page 1, line 26.

Insert: "NEW SECTION. Section 3. Extension of school election deadlines -- applicability. In order to allow for the more orderly and efficient conduct of the regular school elections scheduled for May 8, 2007, it may not be possible to comply with certain statutory deadlines relating to a school election. Therefore, in 2007 only, a school district may limit the regular school election scheduled for May 8, 2007, to trustee elections only and may reschedule a single general fund operating levy election at any time prior to the adoption of a final budget pursuant to 20-9-131. For any levy election rescheduled under this section, a resolution calling for the election may not be adopted later than 20 days before the scheduled election and final ballot language may not be adopted later than 10 days before the date of the election. In addition, all statutory deadlines for the May 2007 regular school election are extended to April 27, 2007."

And, as amended, be concurred in. Report adopted.

SB 291, be amended as follows:

1. Page 7, line 7.

Strike: "[section 1(6)(a)]"

Insert: "[section 1(6)(b)]"

And, as amended, be concurred in. Report adopted.

SB 335, be concurred in. Report adopted.

SJR 12, be amended as follows:

1. Title, line 5.

Strike: "AND SUPPORTING"

2. Page 2, line 4.

Strike: "support and"

And, as amended, be concurred in. Report adopted.

SJR 16, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

4/2/2007

SB 121, be amended as follows:

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1. Title, line 7.

Following: "AUTHORITY;"

Insert: "PROHIBITING THE DEPARTMENT OF REVENUE FROM PROVIDING ACTIVE OR PASSIVE TAX RETURN PREPARATION SERVICES;"

2. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

Strike: "A"

Insert: "Subject to subsection (1)(b), a"

3. Page 1.

Following: line 14

Insert: "(b) The provisions of this section do not prevent the bona fide sale of a tax return preparation, accounting, or law practice in the ordinary course of business."

4. Page 1, line 17.

Following: "(A)"

Insert: "(i)"

Following: "disclosure;"

Insert: "or

(ii) disclosure is required in connection with an internal audit;"

5. Page 2, line 6.

Insert: "information"

Insert: ":"

(a)"

Following: "reviews"

Insert: ";"

(b)"

Strike: "or"

6. Page 2, line 7.

Strike: "statutorily"

Following: "so"

Insert: "by Montana law;

(c) when required to do so by federal or state law; or

(d) pursuant to a court subpoena or administrative summons"

7. Page 3, line 2.

Insert: "NEW SECTION. Section 2. Prohibition on tax return preparation services. (1) The department is prohibited from using any funds made available through any legislative appropriation to contract for the use of, lease, own, or otherwise use any software program that allows an individual to submit tax return information directly to the department, any political subdivision, or any third-party contractor.

(2) The department may not perform any function of a tax preparer as described in [section 1]. The department may not use any software program that accepts the transfer of an individual taxpayer's return information to any computer program over which the department exerts legal control. All individual tax returns submitted electronically must have at least one verifiable level of intervention. The restriction does not include programs used by private sector tax preparers, programs used for electronic filing, or programs used by the internal revenue service to process state information in conjunction with a federal tax return."

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Renumber: subsequent sections

8. Page 3, line 4.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

9. Page 3, line 6.

Strike: "and 2"

Insert: "through 3"

10. Page 3, line 8.

Strike: "and 2"

Insert: "through 3"

And, as amended, be concurred in. Report adopted.

SB 233, be amended as follows:

1. Page 5.

Following: line 26

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If Senate Bill No. 299 and [this act] are both passed and approved and they contain a section amending 7-16-2205, then the sections amending 7-16-2205 are void and 7-16-2205 must be amended as follows:

"7-16-2205. Authorization for mill levy. (1) The board of county commissioners of any county ~~owning, acquiring, contributing, or making a grant to any museum, facility for the arts and the humanities, or collection of exhibits as set forth in 7-16-2202:~~

(a) ~~(i)~~ may make an appropriation in its annual budget for:

(i) the upkeep, care, maintenance, operation, and support of ~~the~~ a museum, including a museum district created under [sections 1 through 9 of Senate Bill No. 233], a facility for the arts and the humanities, or a collection of exhibits as set forth in 7-16-2202;

(ii) the support of a heritage preservation and cultural tourism commission and for heritage and cultural tourism resources;

~~(ii)(iii)~~ may make an appropriation in its annual budget for a grant program for private, nonprofit museums, ~~and for private, nonprofit facilities for the arts and the humanities, or for a heritage preservation and cultural tourism commission; and~~

(b) ~~in order to fund the appropriation or grant program,~~ may, subject to 15-10-420, annually levy a tax on the taxable valuation of the property subject to taxation in the county for the purposes described in subsection (1)(a) of this section. However, a levy for a museum district applies only to the property subject to taxation in the district.

(2) The levy must be made at the same time as other levies are made for county and school purposes.

(3) The proceeds from the collection of the levy must be kept in a special fund by the county treasurer and used, at the discretion of the board of county commissioners, solely for the purpose for which the levy was made.

(4) A board of trustees of a museum district appointed as provided in [section 7 of Senate Bill No. 233] may request the board of county commissioners to submit to the voters of the district at the next general or special election a levy on taxable property in the district for operation of the district or for maintenance or construction within the district."

And, as amended, be concurred in. Report adopted.

SB 242, be amended as follows:

1. Title, line 6.

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Following: "INFORMATION;"

Insert: "INCREASING THE MINIMUM TAX ON CORPORATIONS;"

Strike: "SECTION"

Insert: "SECTIONS 15-31-121 AND"

2. Page 1, line 11.

Following: line 10

Insert: "Section 1. Section 15-31-121, MCA, is amended to read:

"15-31-121. Rate of tax -- minimum tax -- distribution of revenue. (1) Except as provided in subsection (2), the percentage of net income to be paid under 15-31-101 is 6 3/4% of all net income for the tax period.

(2) For a taxpayer making a water's-edge election, the percentage of net income to be paid under 15-31-101 is 7% of all taxable net income for the tax period.

(3) Each corporation subject to taxation under this part shall pay a minimum tax of not less than ~~\$50~~ \$55.

(4) For fiscal year 2005, the tax collected from water's-edge corporations must be deposited as follows:

(a) \$375,000 in the state special revenue fund to the credit of the department of public health and human services for state matching funds to maximize federal funds for medicaid health services; and

(b) the balance in the state general fund.""

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 492, be amended as follows:

1. Title, line 5.

Strike: ", CITY, OR"

2. Title, line 6.

Strike: "TOWN"

Strike: "SECTIONS 7-1-4124 AND"

Insert: "SECTION"

3. Page 1, line 11 through page 2, line 16.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 2, line 20.

Strike: ", city, or town"

5. Page 2, line 21.

Following: "~~\$10,000~~"

Insert: "in an amount in excess of \$20,000"

Following: "~~\$40,000~~"

Insert: "in an amount in excess of \$80,000"

6. Page 1, line 22.

Following: "by"

Insert: "the value of the property or conservation easement has been previously estimated by"

7. Page 2, line 23 through line 24.

Strike: "FOR" on line 23 through "BY" on line 24

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8. Page 2, line 25 through line 26.

Strike: "or by" on line 25 through "landowner" on line 26

9. Page 2, line 27 through line 28.

Strike: "FOR" on line 27 through "BY" on line 28

10. Page 2, line 28 through line 29.

Strike: ", city" on line 28 through "appropriate," on line 29

11. Page 2, line 30.

Following: "county"

Strike: " " through "TOWN"

Following: "appraised"

Insert: "appraised"

12. Page 2, line 30 through page 3, line 1.

Strike: "DETERMINED" on page 2, line 30 through "(1)" on page 3, line 1

And, as amended, be concurred in. Report adopted.

SB 525, be amended as follows:

1. Page 22, line 10.

Insert: "**COORDINATION SECTION. Section 29. Coordination instruction.** If Senate Bill No. 118 and [this act] are both passed and approved and they contain a section amending 15-66-102, then the sections amending 15-66-102 are void and 15-66-102 must be amended as follows:

"15-66-102. (Temporary) Utilization fee for inpatient bed days. (1) Each hospital in the state shall pay to the department a utilization fee:

(a) in the amount of ~~\$19.43~~ \$27.70 for each inpatient bed day between January 1, ~~2004~~ 2006, and June 30, ~~2005~~ 2007;

(b) in the amount of ~~\$29.75~~ \$47 for each inpatient bed day between July 1, ~~2005~~ 2007, and December 31, ~~2005~~ 2007;

(c) in the amount of ~~\$27.70~~ \$43 for each inpatient bed day between January 1, ~~2006~~ 2008, and December 31, ~~2006~~ 2008;

(d) in the amount of \$48 for each inpatient bed day between January 1, 2009, and December 31, 2009; and ~~(d)(e) after beginning January 1, 2007 2010, in an amount determined by rule as provided in subsection (2) in the amount of \$50 for each inpatient bed day.~~

~~(2) Prior to each calendar year that will be subject to the fee, the department by rule shall determine the amount of the fee, not to exceed \$50, based upon:~~

~~_____ (a) an estimate of the unpaid medicaid hospital costs, total inpatient days, and the federal medical assistance percentages;~~

~~_____ (b) an estimate of any federal limit on federal financial participation for hospital services; and~~

~~_____ (c) an estimate of federal disproportionate share funds not matched by state general funds.~~

~~(3)(2) (a) All proceeds from the collection of utilization fees, including penalties and interest, must, in accordance with the provisions of [section 1 of Senate Bill No. 525], be deposited to the credit of the department of public health and human services in a state special revenue account as provided in 53-6-149.~~

~~(b) A hospital may not place a fee created in this chapter on a patient's bill. (Void on occurrence of contingency--sec. 18, Ch. 390, L. 2003. Terminates June 30, 2007--secs. 4, 7, Ch. 606, L. 2005.)"~~

Renumber: subsequent sections

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And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):
SB 302, be concurred in. Report adopted.

4/2/2007

SPECIAL ORDERS OF THE DAY

HB 179, introduced by French, the following sponsors were added:

Reps. Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sales, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, April 3, 2007. Motion carried.

House adjourned at 6:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 3, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative French. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 4/2/2007
Correctly printed: **SB 127, SB 157, SB 296, SB 302, SB 335, SB 524, SJR 16.**
Correctly engrossed: **SB 121, SB 225, SB 233, SB 242, SB 276, SB 291, SB 491, SB 492, SB 525, SJR 12, SJR 15.**

Correctly enrolled: **HB 363.** 4/2/2007
Correctly engrossed: **SB 384, SB 449 SB 324.** 4/3/2007
Signed by the Chief Clerk of the House at 6:30 p.m., April 2, 2007: **HB 112, HB 265, HB 426, HB 769.**
Signed by the Speaker at 10:45 a.m., April 3, 2007: **HB 112, HB 265, HB 426, HB 769.**
Signed by the President at 11:50 a.m., April 3, 2007: **HB 112, HB 265, HB 426, HB 767.**
Delivered to the Governor for approval at 12:35 p.m., April 3, 2007: **HB 112, HB 265, HB 426, HB 769.**

HUMAN SERVICES (Stoker, Chairman): 4/2/2007
SB 287, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman): 4/2/2007
SB 384, be amended as follows:

1. Page 1, line 27.

Following: "landowner"

Insert: "owning property considered to be part of ways of this state open to the public, as defined in 61-8-101,"

2. Page 1, line 27.

Following: "(1)"

Insert: "by calling one of the law enforcement agencies listed in subsection (1) at the start of the 5-day period"

And, as amended, be concurred in. Report adopted.

SB 449, be amended as follows:

1. Page 2, line 1.

Following: "agency"

Insert: "that purchases new vehicles"

2. Page 2, line 18.

Following: "vehicle"

Insert: ", other than those vehicles listed in [section 2(2)]"

3. Page 2, line 27.

Strike: "report"

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Insert: "records"

Strike: "(1)"

4. Page 2, line 28 through page 3, line 2.

Strike: "and" on page 2, line 28 through "5-11-210" on page 3, line 2

And, as amended, be concurred in. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman):

4/3/2007

SB 419, be amended as follows:

1. Title, line 5.

Strike: "26"

Insert: "25"

2. Title, line 6.

Strike: "33-22-201,"

3. Page 2, line 3.

Strike: "26"

Insert: "25"

4. Page 5, line 25.

Strike: "26"

Insert: "25"

5. Page 7, line 17.

Strike: "26"

Insert: "25"

6. Page 11, line 5 through line 30.

Strike: section 6 in its entirety

Renumber: subsequent sections

7. Page 13, line 28.

Strike: "26"

Insert: "25"

And, as amended, be concurred in. Report adopted.

SB 542, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman):

4/3/2007

SB 407, be concurred in. Report adopted.

SB 461, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman):

4/3/2007

SB 146, be concurred in. Report adopted.

SB 346, be concurred in. Report adopted.

SB 348, be concurred in. Report adopted.

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SB 350, be concurred in. Report adopted.
SB 382, be concurred in. Report adopted.
SB 411, be concurred in. Report adopted.
SB 523, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

4/3/2007

SB 147, be concurred in. Report adopted.
SB 324, be amended as follows:

1. Page 1, line 18.

Following: "KNOWN RATE"

Insert: "or changing the pressure by a known quantity"

And, as amended, be concurred in. Report adopted.

SB 431, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

4/3/2007

HJR 53, be adopted. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/2/2007

HB 35, introduced by Keane
HB 99, introduced by Olson
HB 348, introduced by Keane
HB 587, introduced by Himmelberger
HB 617, introduced by Sinrud
HB 629, introduced by Hamilton
HB 657, introduced by Ebinger
HB 782, introduced by Caferro

House joint resolutions concurred in and returned to the House:

4/2/2007

HJR 22, introduced by W. Jones
HJR 26, introduced by Callahan
HJR 33, introduced by Thomas

House bills concurred in **as amended** and returned to the House for concurrence in Senate amendments: 4/2/2007

HB 300, introduced by Milburn
HB 310, introduced by Dutton
HB 452, introduced by Kottel
HB 467, introduced by K. Peterson
HB 514, introduced by Caferro

MESSAGES FROM THE GOVERNOR

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 3, 2007

April 2, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59620

Dear Speaker Sales:

Please be informed that on Friday, March 30th, I signed the following bills and delivered them to the Secretary of State:

House Bill 28 sponsored by Representative Hilbert
House Bill 31 sponsored by Representative Kottel
House Bill 51 sponsored by Representative Pomnichowski
House Bill 58 sponsored by Representative Keane
House Bill 67 sponsored by Representative Heinert
House Bill 70 sponsored by Representative Clark
House Bill 75 sponsored by Representative McChesney
House Bill 81 sponsored by Representative Hamilton
House Bill 86 sponsored by Representative Musgrove
House Bill 87 sponsored by Representative Cordier
House Bill 102 sponsored by Representative Jacobson
House Bill 128 sponsored by Representative Becker
House Bill 132 sponsored by Representative Sesso
House Bill 140 sponsored by Representative Ingraham
House Bill 144 sponsored by Representative Becker
House Bill 145 sponsored by Representative Sonju
House Bill 149 sponsored by Representative Jopek
House Bill 176 sponsored by Representative Wilmer
House Bill 190 sponsored by Representative Thomas
House Bill 193 sponsored by Representative Nooney
House Bill 244 sponsored by Representative Wiseman
House Bill 286 sponsored by Representative Augare
House Bill 332 sponsored by Representative Thomas
House Bill 347 sponsored by Representative Boggio
House Bill 378 sponsored by Representative Windy Boy
House Bill 449 sponsored by Representative Pomnichowski
House Bill 531 sponsored by Representative Lambert
House Bill 623 sponsored by Representative Olson
House Bill 662 sponsored by Representative Villa

Sincerely,

BRIAN SCHWEITZER
Governor

MESSAGES FROM THE GOVERNOR

April 2, 2007

HOUSE JOURNAL
SEVENTY-FIRST LEGISLATIVE DAY - APRIL 3, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59620

Dear Speaker Sales:

Please be informed that I have signed **House Bill 664** sponsored by Representative Keane on April 2, 2007, and delivered it to the Secretary of State.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 54, introduced by Windy Boy, Campbell, Ryan, Bixby, referred to Education.

HJR 55, introduced by Koopman, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 538 - Representative Wilmer moved **SB 538** be concurred in.

SB 538 - Representative Koopman moved **SB 538**, second reading copy, be amended as follows:

1. Page 1, line 7.

Strike: "rights"

Insert: "powers"

2. Page 1, line 8.

Strike: "provides all citizens with"

Insert: "reserves the remaining powers to the states and the people, and also protects the rights of all citizens to"

3. Page 1, line 12.

Following: "guarantees"

Insert: "a trial by jury and"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Driscoll, Pomnichowski.
Total 2

Excused: None.
Total 0

Absent or not voting: Lange, Stahl.
Total 2

SB 538 - The motion that **SB 538**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 70

Noes: Augare, Becker, Bixby, Boggio, Butcher, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Jayne, Kasten, Lake, MacLaren, Malcolm, Nooney, Pomnichowski, Ripley, Ross, Sinrud, Van Dyk, Windy Boy, Mr. Speaker.
Total 24

Excused: None.
Total 0

Absent or not voting: Branae, Lange, Mendenhall, Noonan, Taylor, Wells.
Total 6

SB 100 - Representative Malcolm moved **SB 100** be concurred in.

SB 100 - Representative K. Peterson moved **SB 100**, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: "person"

Strike: "WHO"

Insert: "or entity that"

Following: "REPRESENTS TO"

Insert: "any other person, any entity, or"

Following: "PERSON"

Insert: "or entity"

2. Page 1, line 17.

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Following: "days"

Insert: "for consideration"

3. Page 1, line 18.

Strike: "AND"

Insert: "or"

4. Page 1, line 19.

Following: "of not"

Strike: "less than \$10,000 or"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 89

Noes: Campbell, Hendrick, Jayne, MacLaren, Nooney, Ward, Windy Boy.

Total 7

Excused: None.

Total 0

Absent or not voting: L. Jones, Koopman, Sinrud, Mr. Speaker.

Total 4

SB 100 - The motion that **SB 100**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Campbell, Jayne, Jore, Koopman, Sinrud, Windy Boy.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 115 - Representative Ripley moved **SB 115** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Keane, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Boggio, Jayne, Kasten, Kerns, Lambert, McGillvray, Morgan, Sinrud, Taylor, Witte, Mr. Speaker.

Total 11

Excused: None.

Total 0

Absent or not voting: Jopek.

Total 1

SB 205 - Representative Ward moved **SB 205** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Beck, Boggio, Everett, Gallik, Hawk, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.

Total 18

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 27 - Representative Stoker moved **SB 27** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray,

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McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Sinrud.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 31 - Representative Gallik moved **SB 31** be concurred in. Motion, requiring a two-thirds of each House vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Peterson, Sinrud.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 89 - Representative Raser moved **SB 89** be concurred in.

SB 89 - Representative Raser moved **SB 89**, second reading copy, be amended as follows:

1. Page 2, line 10.

Following: "children."

Insert: "At a minimum, the policy must identify the means by which an employer will make available a space suitable for breastfeeding and breast pumping for a lactating employee, including the provision of basic necessities of privacy, lighting, and electricity for the pump apparatus. The space does not need to be fully enclosed or permanent, but must be readily available during the term that the employee needs the space."

2. Page 2, line 16 through line 18.

Strike: subsection (3) in its entirety

Amendment adopted as follows:

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Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 79

Noes: Barrett, Beck, Boggio, Clark, Everett, Hawk, Heinert, Himmelberger, Ingraham, Kasten, Kerns, Lange, Mendenhall, Rice, Ripley, Sinrud, Sonju, Mr. Speaker.

Total 18

Excused: None.

Total 0

Absent or not voting: Dutton, Jayne, Stahl.

Total 3

SB 89 - The motion that **SB 89** be concurred in as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, Lake, Lambert, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 78

Noes: Barrett, Beck, Clark, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Lange, MacLaren, Malcolm, Mendenhall, Rice, Ripley, Sinrud, Stoker, Wells, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 172 - Representative Olson moved **SB 172** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Wilson.

Total 1

SB 181 - Representative Ripley moved **SB 181** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Boggio, Jore, Koopman, Sinrud, Sonju, Mr. Speaker.

Total 6

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

Representative Villa assumed the chair.

SB 213 - Representative Cohenour moved **SB 213** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 77

Noes: Barrett, Blasdel, Boggio, Dutton, Everett, Hawk, Hilbert, Himmelberger, W. Jones, Jore, Kasten, Kerns, Koopman, McGillvray, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Wells, Mr. Speaker.

Total 22

Excused: None.

Total 0

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Absent or not voting: Lange.
Total 1

SB 222 - Representative Wiseman moved **SB 222** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Boggio, Campbell, Everett, Groesbeck, Hawk, Jayne, Jore, Kerns, Koopman, McGillvray, Rice, Ripley, Sinrud, Ward, Wilmer, Witte, Mr. Speaker.
Total 17

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 251 - Representative Arntzen moved **SB 251** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 83

Noes: Barrett, Boggio, Everett, Himmelberger, Kasten, Lake, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Ward, Wells, Witte, Mr. Speaker.
Total 16

Excused: None.
Total 0

Absent or not voting: Vincent.
Total 1

Representative Wiseman re-assumed the chair.

SB 258 - Representative Dutton moved **SB 258** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Groesbeck, Hands,

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Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Klock, Koopman, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 80

Noes: Becker, Caferro, Dickenson, Erickson, Franklin, French, Gallik, Hamilton, Henry, Hiner, Hollenbaugh, Jayne, Jopek, Kerns, Kottel, Lake, Ross, Thomas, Villa.

Total 19

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

SB 266 - Representative Raser moved **SB 266** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 80

Noes: Barrett, Everett, Hawk, Hilbert, Himmelberger, Jayne, Jore, Kasten, Koopman, Mendenhall, Peterson, Ripley, Sinrud, Sonju, Stahl, Stoker, Wells, Windy Boy, Witte, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 354 - Representative McAlpin moved **SB 354** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 69

Noes: Barrett, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Ward, Wells, Witte, Mr. Speaker.

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Total 30

Excused: None.

Total 0

Absent or not voting: Dickenson.

Total 1

SB 365 - Representative Lambert moved **SB 365** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 93

Noes: Jayne, Jore, Koopman, Sinrud, Taylor, Witte, Mr. Speaker.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Cordier, Jore.

Total 2

Excused: None.

Total 0

Absent or not voting: Clark, Hilbert, Himmelberger, Jayne, Parker, Sinrud.

Total 6

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REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/3/2007

Correctly printed: **HJR 53, SB 41, SB 146, SB 147, SB 287, SB 342, SB 346, SB 348, SB 350, SB 379, SB 382, SB 407, SB 411, SB 431, SB 461, SB 523, SB 542.**

Correctly engrossed: **SB 419, SB 48, SB 130, SB 192, SB 227, SB 284, SB 316, SB 363, SB 486, HB 746.**

Examined by the sponsor and found to be correct: **HB 363.**

Signed by the Chief Clerk of the House at 1:50 p.m., April 3, 2007: **HB 363.**

Signed by the Speaker at 2:25 p.m., April 3, 2007: **HB 363.**

APPROPRIATIONS (Sinrud, Chairman):

4/3/2007

HB 746, introduced bill, be amended as follows:

1. Title, line 4.

Following: "A"

Insert: "TEMPORARY"

2. Page 1, line 29.

Strike: "A"

Insert: "For tax years beginning after December 31, 2006, and before January 1, 2009, a"

3. Page 2, line 19.

Strike: "A"

Insert: "For tax years beginning after December 31, 2006, and before January 1, 2009, a"

4. Page 3, line 9.

Strike: "A"

Insert: "For tax years beginning after December 31, 2006, and before January 1, 2009, a"

5. Page 3, line 30.

Strike: "A"

Insert: "For tax years beginning after December 31, 2006, and before January 1, 2009, a"

6. Page 4, line 29.

Strike: "2013"

Insert: "2009"

And, as amended, do pass. Report adopted.

JUDICIARY (Rice, Chairman):

4/3/2007

SB 48, be amended as follows:

1. Page 2, lines 12 and 13.

Strike: "that is needed to prevent serious bodily harm or death to the child"

And, as amended, be concurred in. Report adopted.

SB 130, be amended as follows:

1. Page 7, line 28.

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Following: "firefighter"

Insert: "as described in 7-33-4109"

2. Page 8, line 30.

Following: "33"

Insert: ", except 7-33-4109"

And, as amended, be concurred in. Report adopted.

SB 192, be amended as follows:

1. Page 1, line 10.

Strike: "A"

Insert: "(1) Except as provided in subsection (2), a"

2. Page 1.

Following: line 14

Insert: "(2) Subsection (1) does not apply to a person who poses as another individual with the express consent of that other individual."

And, as amended, be concurred in. Report adopted.

SB 227, be amended as follows:

1. Title, line 10 through line 12.

Strike: "PROVIDING" on line 10 through ";" on line 12

2. Title, line 13.

Strike: "25-31-710,"

3. Page 4, line 27 through page 5, line 8.

Strike: section 6 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 363, be amended as follows:

1. Title, line 4.

Strike: "NOT"

2. Title, line 5.

Following: "PROJECTS"

Insert: "ONLY"

3. Title, line 6.

Strike: "NOT"

Strike: "OR"

Insert: "AND MAY NOT BE ACQUIRED BY EMINENT DOMAIN"

Strike: "PRIMARY"

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4. Title, line 9.

Following: "SECTIONS"

Insert: "7-15-4259,"

5. Page 1.

Following: line 12

Insert: "Section 1. Section 7-15-4259, MCA, is amended to read:

"7-15-4259. Exercise of power of eminent domain. (1) After the adoption by the local governing body of a resolution declaring that the acquisition of the real property described in the resolution is necessary for an urban renewal project under this part, a municipality may acquire by condemnation, as provided in Title 70, chapter 30, any interest in real property that it considers necessary for urban renewal.

(2) Condemnation for urban renewal of blighted areas, as defined in 7-15-4206(2)(a), (2)(h), (2)(k), or (2)(n), is a public use, and property already devoted to any other public use or acquired by the owner or the owner's predecessor in interest by eminent domain may be condemned for the purposes of this part.

(3) The award of compensation for real property taken for an urban renewal project may not be increased by reason of any increase in the value of the real property caused by the assembly, clearance, or reconstruction or proposed assembly, clearance, or reconstruction in the project area. An allowance may not be made for the improvements begun on real property after notice to the owner of the property of the institution of proceedings to condemn the property. Evidence is admissible bearing upon the unsanitary, unsafe, or substandard condition of the premises or the unlawful use of the premises.""

Renumber: subsequent sections

6. Page 2, line 2.

Strike: the first "not"

Following: "domain"

Insert: "only"

Strike: the second "not"

7. Page 2, line 3.

Following: "7-15-4206"

Insert: "(2)(a), (2)(h), (2)(k), or (2)(n)"

8. Page 2, line 3.

Strike: "or"

Insert: "and may not be acquired for urban renewal through eminent domain"

9. Page 2, line 3.

Strike: "primary"

And, as amended, be concurred in. Report adopted.

SB 447, be concurred in. Report adopted.

SB 486, be amended as follows:

1. Title, line 6.

Following: "INJURY"

Insert: "OR DEATH"

2. Page 1, line 14.

Following: "injury"

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Insert: "or death"

And, as amended, be concurred in. Report adopted.

SB 424, be amended as follows:

1. Page 4, line 8.

Following: "i"

Insert: "or"

And, as amended, be concurred in. Report adopted.

SB 433, be amended as follows:

1. Title, line 5.

Strike: "AND"

2. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 5.

Following: line 8

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 547, be amended as follows:

1. Title, line 10.

Strike: "REQUIRING"

Insert: "ALLOWING"

2. Title, line 11.

Following: "41-5-1513,"

Insert: "45-1-205, 45-5-502,"

Following: "45-5-503,"

Insert: "45-5-507, 45-5-512,"

3. Page 2, line 5.

Following: "(3)"

Insert: "or (4)"

4. Page 6, line 26.

Strike: "may"

Insert: "shall"

5. Page 6, line 27.

Strike: "before a youth is discharged"

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6. Page 7.

Following: line 3

"Insert: "Section 4. Section 45-1-205, MCA, is amended to read:

"45-1-205. General time limitations. (1) (a) A prosecution for deliberate, mitigated, or negligent homicide may be commenced at any time.

(b) A prosecution for a felony offense under 45-5-502, 45-5-503, or 45-5-507(4) or (5) may be commenced within 10 years after it is committed, except that it may be commenced within 10 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred. A prosecution for a misdemeanor offense under those provisions may be commenced within 1 year after the offense is committed, except that it may be commenced within 5 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred.

(c) A prosecution under 45-5-504, 45-5-505, 45-5-507(1), (2), (3), or ~~(5)~~ (6), 45-5-625, or 45-5-627 may be commenced within 5 years after the victim reaches 18 years of age if the victim was less than 18 years of age at the time that the offense occurred.

(2) Except as provided in subsection (7)(b) or as otherwise provided by law, prosecutions for other offenses are subject to the following periods of limitation:

(a) A prosecution for a felony must be commenced within 5 years after it is committed.

(b) A prosecution for a misdemeanor must be commenced within 1 year after it is committed.

(3) The periods prescribed in subsection (2) are extended in a prosecution for theft involving a breach of fiduciary obligation to an aggrieved person as follows:

(a) if the aggrieved person is a minor or incompetent, during the minority or incompetency or within 1 year after the termination of the minority or incompetency;

(b) in any other instance, within 1 year after the discovery of the offense by the aggrieved person or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense and is not personally a party to the offense or, in the absence of discovery, within 1 year after the prosecuting officer becomes aware of the offense.

(4) The period prescribed in subsection (2) must be extended in a prosecution for unlawful use of a computer, and prosecution must be brought within 1 year after the discovery of the offense by the aggrieved person or by a person who has legal capacity to represent an aggrieved person or has a legal duty to report the offense and is not personally a party to the offense or, in the absence of discovery, within 1 year after the prosecuting officer becomes aware of the offense.

(5) The period prescribed in subsection (2) is extended in a prosecution for misdemeanor fish and wildlife violations under Title 87, and prosecution must be brought within 3 years after an offense is committed.

(6) The period prescribed in subsection (2)(b) is extended in a prosecution for misdemeanor violations of the laws regulating the activities of outfitters and guides under Title 37, chapter 47, and prosecution must be brought within 3 years after an offense is committed.

(7) (a) An offense is committed either when every element occurs or, when the offense is based upon a continuing course of conduct, at the time when the course of conduct is terminated. Time starts to run on the day after the offense is committed.

(b) A prosecution for theft under 45-6-301 may be commenced at any time during the 5 years following the date of the theft, whether or not the offender is in possession of or otherwise exerting unauthorized control over the property at the time the prosecution is commenced. After the 5-year period ends, a prosecution may be commenced at any time if the offender is still in possession of or otherwise exerting unauthorized control over the property, except that the prosecution must be commenced within 1 year after the investigating officer discovers that the offender still possesses or is otherwise exerting unauthorized control over the property.

(8) A prosecution is commenced either when an indictment is found or an information or complaint is filed.""

Insert: "Section 5. Section 45-5-502, MCA, is amended to read:

"45-5-502. Sexual assault. (1) A person who knowingly subjects another person to any sexual contact without consent commits the offense of sexual assault.

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(2) ~~★~~ Except as provided in subsections (3) and (4), a person convicted of sexual assault shall be fined not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.

(3) If the victim is less than 16 years old and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing sexual assault, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years, unless the judge makes a written finding that there is good cause to impose a term of less than 4 years and imposes a term of less than 4 years, or more than 100 years and may be fined not more than \$50,000.

(4) (a) If the victim was 12 years of age or younger and the offender was 18 years of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children, the offender:

(i) shall, upon a second or subsequent offense punishable pursuant to this subsection (4)(a), be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (4)(a)(i) except as provided in 46-18-222, and during the first 25 years of imprisonment, the offender is not eligible for parole.

(ii) may be fined an amount not to exceed \$50,000; and

(iii) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.

(b) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in 46-23-1010.

(c) For purposes of this subsection (4), "sexual predator of children" means a person who:

(i) committed the offense for which the person is being sentenced under subsection (4)(a) against a stranger;

(ii) established or furthered a relationship with the victim for the primary purpose of victimization;

(iii) committed any forcible felony, as defined in 45-2-101, in the course of committing sexual intercourse without consent for which the person is being sentenced under subsection (4)(a) of this section;

(iv) compelled the victim to submit by force, as defined in 45-5-501(2), against the victim or another person;
or

(v) is known by the victim but does not meet the criteria in subsections (4)(c)(i) through (4)(c)(iv).

~~(4)(5)~~ An act "in the course of committing sexual assault" includes an attempt to commit the offense or flight after the attempt or commission.

~~(5)(6)~~ Consent is ineffective under this section if:

(a) the victim is incarcerated in an adult or juvenile correctional, detention, or treatment facility and the perpetrator is an employee, contractor, or volunteer of the facility and has supervisory or disciplinary authority over the victim, unless the act is part of a lawful search; or

(b) the victim is less than 14 years old and the offender is 3 or more years older than the victim.""

Renumber: subsequent sections

7. Page 8, line 22.

Strike: "or"

8. Page 8, line 24.

Following: "person"

Insert: "; or"

(v) is known by the victim but does not meet the criteria provided in subsections (4)(c)(i) through (4)(c)(iv)"

9. Page 8.

Following: line 30

Insert: "Section 7. Section 45-5-507, MCA, is amended to read:

"45-5-507. Incest. (1) A person commits the offense of incest if the person knowingly marries, cohabits with, has sexual intercourse with, or has sexual contact, as defined in 45-2-101, with an ancestor, a descendant, a brother or sister of the whole or half blood, or any stepson or stepdaughter. The relationships referred to in this

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subsection include blood relationships without regard to legitimacy, relationships of parent and child by adoption, and relationships involving a stepson or stepdaughter.

(2) Consent is a defense under this section to incest with or upon a stepson or stepdaughter, but consent is ineffective if the victim is less than 18 years old.

(3) ~~★~~ Except as provided in subsections (4) and (5), a person convicted of incest shall be punished by life imprisonment or by imprisonment in the state prison for a term not to exceed 100 years or be fined an amount not to exceed \$50,000.

(4) If the victim is under 16 years of age and the offender is 3 or more years older than the victim or if the offender inflicts bodily injury upon anyone in the course of committing incest, the offender shall be punished by life imprisonment or by imprisonment in the state prison for a term of not less than 4 years or more than 100 years and may be fined not more than \$50,000.

(5) (a) If the victim was 12 years of age or younger and the offender was 18 years of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children, the offender:

(i) shall be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (5)(a)(i) except as provided in 46-18-222, and during the first 25 years of imprisonment, the offender is not eligible for parole.

(ii) may be fined an amount not to exceed \$50,000; and

(iii) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.

(b) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in 46-23-1010.

(c) For purposes of this subsection (5), "sexual predator of children" means a person who:

(i) committed the offense for which the person is being sentenced under subsection (5)(a) against a stranger;

(ii) established or furthered a relationship with the victim for the primary purpose of victimization;

(iii) committed any forcible felony, as defined in 45-2-101, in the course of committing sexual intercourse without consent for which the person is being sentenced under subsection (5)(a) of this section;

(iv) compelled the victim to submit by force, as defined in 45-5-501(2), against the victim or another person;

or

(v) is known by the victim but does not meet the criteria provided in subsections (5)(c)(i) through (5)(c)(iv).

~~(5)(6)~~ In addition to any sentence imposed under subsection (3), (4), or ~~(4)~~ (5), after determining the financial resources and future ability of the offender to pay restitution as required by 46-18-242, the court shall require the offender, if able, to pay the victim's reasonable costs of counseling that result from the offense. The amount, method, and time of payment must be determined in the same manner as provided for in 46-18-244."

Insert: "Section 8. Section 45-5-512, MCA, is amended to read:

"45-5-512. Chemical treatment of sex offenders. (1) A person convicted of a first offense under 45-5-502(3) or (4), 45-5-503(3), or 45-5-507(4) or (5) may, in addition to the sentence imposed under those sections, be sentenced to undergo medically safe medroxyprogesterone acetate treatment or its chemical equivalent or other medically safe drug treatment that reduces sexual fantasies, sex drive, or both, administered by the department of corrections or its agent pursuant to subsection (4) of this section.

(2) A person convicted of a second or subsequent offense under 45-5-502(3) or (4), 45-5-503, or 45-5-507 may, in addition to the sentence imposed under those sections, be sentenced to undergo medically safe medroxyprogesterone acetate treatment or its chemical equivalent or other medically safe drug treatment that reduces sexual fantasies, sex drive, or both, administered by the department of corrections or its agent pursuant to subsection (4) of this section.

(3) A person convicted of a first or subsequent offense under 45-5-502, 45-5-503, or 45-5-507 who is not sentenced to undergo medically safe medroxyprogesterone acetate treatment or its chemical equivalent or other medically safe drug treatment that reduces sexual fantasies, sex drive, or both, may voluntarily undergo such treatment, which must be administered by the department of corrections or its agent and paid for by the department

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of corrections.

(4) Treatment under subsection (1) or (2) must begin 1 week before release from confinement and must continue until the department of corrections determines that the treatment is no longer necessary. Failure to continue treatment as ordered by the department of corrections constitutes a criminal contempt of court for failure to comply with the sentence, for which the sentencing court shall impose a term of incarceration without possibility of parole of not less than 10 years or more than 100 years.

(5) Prior to chemical treatment under this section, the person must be fully medically informed of its effects.

(6) A state employee who is a professional medical person may not be compelled against the employee's wishes to administer chemical treatment under this section.""

Renumber: subsequent sections

10. Page 10, line 22.

Strike: "or"

11. Page 10, line 24.

Following: "person"

Insert: "; or

(v) is known by the victim but does not meet the criteria provided in subsections (4)(c)(i) through (4)(c)(iv)"

12. Page 11, line 21.

Strike: "53-1-203(4)"

Insert: "53-1-203(5)"

13. Page 12, line 18.

Following: "in"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

14. Page 15, line 9.

Following: "to"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

15. Page 16, line 4.

Following: "to"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

16. Page 17, line 25.

Following: "to"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

17. Page 18, line 12.

Following: "assault"

Insert: ", and 45-5-502(4), sexual assault when the victim is 12 years of age or younger and the offender is 18 years

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of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children"

18. Page 18, line 13.

Strike: ", and"

Insert: "; (ix) 45-5-507(5), incest when the victim is 12 years of age or younger and the offender is 18 years of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children;
(x)"

Renumber: subsequent subsections

19. Page 19, line 26.

Following: "45-5-502(3)"

Insert: "(if the victim is less than 16 years of age and the offender is 3 or more years older than the victim), 45-5-502 (4)(if the victim is 12 years of age or younger and the offender is 18 years of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children)"

20. Page 19, line 28.

Following: "victim"

Insert: "or if the victim is 12 years of age or younger and the offender is 18 years of age or older at the time of the offense and the trier of fact finds beyond a reasonable doubt that the offender is a sexual predator of children"

21. Page 27, line 30.

Following: "to"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

22. Page 28, line 19.

Following: "to"

Insert: "45-5-502(4),"

23. Page 28, line 20.

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

24. Page 29, lines 13 and 14.

Strike: "rules" on line 13 through "program," on line 14

25. Page 30, line 9.

Strike: subsection (iii) in its entirety

26. Page 30.

Following: line 30

Insert: "(2) The department may contract with private, nonprofit or for-profit Montana corporations to establish and maintain a residential sexual offender treatment program. If the department intends to contract for that purpose, the department shall adopt rules for the establishment and maintenance of that program."

Renumber: subsequent subsections

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27. Page 31, line 1.

Following: "nonprofit"

Insert: "or for-profit"

28. Page 31, line 2.

Following: "(1)(c)"

Insert: "or (2)"

29. Page 31, line 3.

Following: "(1)(c)"

Insert: "or (2)"

30. Page 32, line 1.

Following: "to"

Insert: "45-5-502(4),"

Following: "45-5-503(4)"

Insert: ", 45-5-507(5),"

31. Page 32, line 28.

Strike: "20"

Insert: "24"

32. Page 32, line 29.

Strike: "20"

Insert: "24"

33. Page 33, line 7.

Strike: "12"

Insert: "16"

Strike: "17"

Insert: "21"

And, as amended, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

4/3/2007

SB 284, be amended as follows:

1. Title, line 5.

Following: "PURPOSES;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

2. Title, line 6.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "15-68-820"

Insert: "AND 17-7-502"

3. Page 1, line 29.

Strike: "1.848%"

Insert: "0.66% "

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4. Page 2, line 9.

Strike: "2.534% "

Insert: "0.905% "

5. Page 2, line 11.

Strike: "2% "

Insert: "0.72% "

6. Page 2, line 13.

Strike: "0.252% "

Insert: "0.09% "

7. Page 2, line 14.

Strike: "2.275% "

Insert: "0.15% "

8. Page 2, line 16.

Strike: "39.634% "

Insert: "14.155% "

9. Page 2, line 18.

Strike: "2.464% "

Insert: "0.88% "

10. Page 2, line 20.

Strike: "3.801% "

Insert: "1.357% "

11. Page 2, line 22.

Strike: "\$500,000"

Insert: "\$125,000"

12. Page 2, line 27.

Strike: "\$500,000"

Insert: "\$125,000"

13. Page 2, line 30.

Strike: "16.471% "

Insert: "5.88% "

14. Page 3, line 4.

Strike: "16.471% "

Insert: "5.88% "

15. Page 3, line 19.

Following: line 18

Insert: "(4) The allocations in subsections (1)(a) through (1)(j), (2), and (3) are statutorily appropriated, as provided in 17-7-502, for the indicated purposes."

16. Page 3, line 19.

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Insert: "Section 2. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-407; 5-13-403; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-1-113; 15-1-121; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-38-202; 15-65-121; 15-68-820; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1, 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1, 2014; pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, and secs. 3 and 6, Ch. 481, L. 2003, the inclusion of 15-35-108 terminates June 30, 2010; pursuant to sec. 7, Ch. 314, L. 2005, the inclusion of 23-4-105, 23-4-202, 23-4-204, 23-4-302, and 23-4-304 becomes effective July 1, 2007; and pursuant to sec. 17, Ch. 593, L. 2005, the inclusion of 15-31-906 terminates January 1, 2010.)"

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 316, be amended as follows:

1. Title, line 7.

Following: "BY"

Insert: "THE FEDERAL GOVERNMENT,"

Following: "STATE"

Insert: ", "

2. Page 3, line 4.

Following: "by"

Insert: "the federal government,"

3. Page 3, line 22.

Strike: "an eminent domain"

Insert: "a public use"

Following: "by"

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Insert: "the federal government,"

Following: "state"

Insert: ", a county, or a municipality"

And, as amended, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Blasdel, Everett, Hawk, Heinert, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Excused: None.

Total 0

Absent or not voting: Clark.

Total 1

HB 39 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Gallik.

Total 1

Excused: None.

Total 0

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Absent or not voting: Clark.
Total 1

HB 148 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 63

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, French, Hawk, Heinert, Hendrick, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Nooney, O'Hara, Rice, Ripley, Ross, Sesso, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 36

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

HB 801 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Boggio, Butcher, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Sands, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Vincent, Ward, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 72

Noes: Becker, Bixby, Blasdel, Branae, Caferro, Callahan, Cohenour, Erickson, Franklin, Furey, Henry, Hollenbaugh, Jore, Koopman, Malcolm, McGillvray, Morgan, Musgrove, Noonan, Raser, Ross, Sesso, Sonju, Taylor, Villa, Wells, Wilmer.
Total 27

Excused: None.
Total 0

Absent or not voting: Clark.
Total 1

HB 828 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, MacLaren,

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Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Everett, Gallik, Hawk, Ingraham, Jore, Kerns, Koopman, Lange, Mendenhall, Taylor, Wells, Witte, Mr. Speaker.

Total 13

Excused: None.

Total 0

Absent or not voting: Franklin.

Total 1

HB 840 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Barrett, Campbell, Clark, Cordier, Everett, Hawk, Heinert, Jayne, Jore, Kasten, Kerns, Koopman, Rice, Ripley, Sinrud, Stahl, Vincent, Mr. Speaker.

Total 18

Excused: None.

Total 0

Absent or not voting: Witte.

Total 1

HB 179 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Everett, Jore, Koopman, McGillvray, Windy Boy.

Total 5

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Excused: None.
Total 0

Absent or not voting: Malcolm.
Total 1

HB 637 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 90

Noes: Everett, Franklin, Himmelberger, Jore, Koopman, McGillvray, Mendenhall, Morgan, Musgrove, Mr. Speaker.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 843 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 94

Noes: Dutton, Jore, Kerns, Koopman, Pomnichowski, Wiseman.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 200 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Beck, Jore, Kerns, Koopman, McGillvray, Mendenhall, Morgan, Nooney, Sinrud, Sonju, Taylor.

Total 11

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 51 concurred in as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved the House stand in recess until 5:00 p.m. House recessed at 3:05 p.m.

The house resumed at 5:00. Mr. Speaker in the chair. All members present except for Representative Clark, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

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Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Vote taken to determine that quorum is present.

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cordier, Dickenson, Ebinger, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Wilmer, Windy Boy, Wiseman.

Total 62

Noes: Blasdel, Cohenour, Erickson, Everett, Hawk, Heinert, Himmelberger, Jayne, Keane, Kerns, McGillvray, Mendenhall, Ripley, Sinrud, Stahl, Stoker, Taylor, Villa, Wells, Witte, Mr. Speaker.

Total 21

Excused: Clark.

Total 1

Absent or not voting: Driscoll, Dutton, Gallik, Hendrick, Hilbert, W. Jones, Jore, Klock, Milburn, Pomnichowski, Rice, Thomas, Van Dyk, Vincent, Ward, Wilson.

Total 16

Second vote taken to determine actual members present.

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Butcher, Caferro, Callahan, Campbell, Dickenson, Ebinger, Franklin, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Ingraham, Jacobson, Jopek, Kasten, Keane, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Raser, Rice, Ross, Small-Eastman, Sonju, Wells, Wilmer, Wiseman.

Total 50

Noes: Beck, Blasdel, Cohenour, Erickson, Everett, Glaser, Hawk, Heinert, Himmelberger, Jayne, L. Jones, Mendenhall, Reinhart, Ripley, Sinrud, Stahl, Stoker, Taylor, Villa, Witte, Mr. Speaker.

Total 21

Excused: Clark.

Total 1

Absent or not voting: Barrett, Becker, Boggio, Branae, Cordier, Driscoll, Dutton, Gallik, Groesbeck, Hendrick, Hilbert, Hollenbaugh, W. Jones, Jore, Klock, Koopman, Milburn, Peterson, Phillips, Pomnichowski, Sands, Sesso, Thomas, Van Dyk, Vincent, Ward, Wilson, Windy Boy.

Total 28

SB 370 - Representative Ross moved **SB 370** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Sinrud.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore, Stahl, Ward.

Total 3

SB 374 - Representative Lange moved consideration of **SB 374** be placed at the bottom of the second reading board. Without objection, so ordered.

SB 414 - Representative Furey moved **SB 414** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Branae, Jore, Sinrud, Ward, Wells, Mr. Speaker.

Total 6

SB 422 - Chairman Wiseman moved consideration of **SB 422** be placed at the bottom of the second reading board. Without objection, so ordered.

SB 442 - Representative Olson moved **SB 442** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Mendenhall, Ripley, Taylor.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Blasdel, Jore, Sinrud.

Total 3

SB 443 - Representative Olson moved **SB 443** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Sinrud.

Total 1

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

SB 444 - Representative Henry moved **SB 444** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt,

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Total 98

Noes: None.
Total 0

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jore, Ward.
Total 2

SB 478 - Representative W. Jones moved **SB 478** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Beck, Blasdel, Boggio, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Rice, Ripley, Ross, Sonju, Taylor, Wells, Witte.
Total 25

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jore, Sinrud, Mr. Speaker.
Total 3

SB 489 - Representative McNutt moved **SB 489** be concurred in. Motion, requiring a two-thirds vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 81

Noes: Bixby, Boggio, Caferro, Dutton, Franklin, Gallik, Grinde, Hollenbaugh, Jopek, Kasten, Lake, Mendenhall,

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Rice, Sinrud, Taylor, Villa, Wiseman.
Total 17

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jore, Phillips.
Total 2

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Bixby, Cordier, Gallik, Hollenbaugh, Sinrud, Villa.
Total 6

Excused: Clark.
Total 1

Absent or not voting: Hilbert, L. Jones, Jore, Klock, Koopman, Milburn, Phillips, Thomas, Ward.
Total 9

MOTIONS

Majority Leader Lange moved to suspend the rules and have **HB 746** be placed on second reading this day.

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Stahl, Stoker, Thomas, Villa, Wilmer, Windy Boy, Wiseman, Witte.
Total 68

Noes: Beck, Boggio, Butcher, Everett, Hawk, Hilbert, Himmelberger, Kasten, Koopman, Lambert, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Taylor, Wells, Mr. Speaker.
Total 18

Excused: Clark.
Total 1

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Absent or not voting: Barrett, Becker, Groesbeck, Hendrick, Jore, Klock, Milburn, Phillips, Sesso, Van Dyk, Vincent, Ward, Wilson.

Total 13

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 497 - Representative Sands moved **SB 497** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 78

Noes: Beck, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Himmelberger, Kasten, Kerns, Lake, MacLaren, Mendenhall, Peterson, Ripley, Ross, Sinrud, Wells, Windy Boy, Witte, Mr. Speaker.

Total 21

Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

SB 505 - Representative Reinhart moved **SB 505** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Boggio, Butcher, Clark, Dutton, Everett, Hawk, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Wells, Witte.

Total 21

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Voted Absentee: Clark, No.

Excused: None.

Total 0

Absent or not voting: Jore, Sinrud, Mr. Speaker.

Total 3

SB 518 - Representative Sands moved **SB 518** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Everett, Mendenhall, Sinrud.

Total 3

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

SB 527 - Representative Ingraham moved **SB 527** be concurred in. Motion carried as follows:

Ayes: Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 88

Noes: Ankney, Augare, Himmelberger, Koopman, Mendenhall, Rice, Sinrud, Sonju, Vincent, Wells, Mr. Speaker.

Total 11

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

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Absent or not voting: Jore.
Total 1

SJR 4 - Representative Everett moved **SJR 4** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: McGillvray, Mendenhall, Musgrove, Sinrud, Villa, Windy Boy.
Total 6

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Jore.
Total 1

HB 665 - Representative Arntzen moved **HB 665** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Stahl, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 58

Noes: Beck, Becker, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Dutton, Everett, Franklin, Furey, Gallik, Groesbeck, Hawk, Hilbert, Himmelberger, Hiner, Jacobson, Jayne, Kasten, Keane, Koopman, Lake, Lange, Musgrove, Noonan, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wells, Windy Boy, Mr. Speaker.
Total 40

Voted Absentee: Clark, Aye.

Excused: None.
Total 0

Absent or not voting: Branae, Jore.
Total 2

SB 374 - Representative Koopman moved **SB 374** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore.

Total 1

SB 422 - Representative Vincent moved **SB 422** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Franklin, Gallik, Jayne, Jopek, Sinrud, Windy Boy.

Total 6

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore, McGillvray.

Total 2

HB 746 - Representative Erickson moved **HB 746** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney,

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Total 79

Noes: Beck, Boggio, Everett, Hawk, Heinert, Hendrick, Jayne, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Morgan, Ripley, Sinrud, Taylor, Wells, Windy Boy, Mr. Speaker.

Total 19

Voted Absentee: Clark, Aye.

Excused: None.

Total 0

Absent or not voting: Jore, Klock.

Total 2

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Wells, Wilmer, Witte, Mr. Speaker.

Total 80

Noes: Heinert, Jayne, Koopman, Phillips, Wilson, Windy Boy.

Total 6

Excused: Clark.

Total 1

Absent or not voting: Branae, Hendrick, Hilbert, Himmelberger, Jore, Milburn, O'Hara, Ripley, Sinrud, Stahl, Vincent, Ward, Wiseman.

Total 13

MOTIONS

Representative Lange moved to suspend the rules on **HB 746** and that it be placed on third reading this day. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas,

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Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.
Total 82

Noes: Everett, Hawk, Heinert, Himmelberger, Jayne, Kasten, Mendenhall, Ripley, Sinrud, Taylor, Windy Boy.
Total 11

Excused: Clark.
Total 1

Absent or not voting: Barrett, Becker, Cordier, Hilbert, Villa, Mr. Speaker.
Total 6

Majority Leader Lange moved to suspend the rules on **HB 665** and that it be placed on third reading this day. Motion, requiring a two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Blasdel, Branae, Butcher, Campbell, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Gallik, Glaser, Grinde, Hamilton, Heinert, Henry, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 61

Noes: Beck, Bixby, Boggio, Caferro, Callahan, Everett, Franklin, Furey, Groesbeck, Hands, Hawk, Hendrick, Himmelberger, Hiner, Jacobson, Jayne, Jore, Kasten, Keane, Koopman, Lake, McChesney, Musgrove, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stoker, Villa, Wells, Windy Boy, Mr. Speaker.
Total 34

Excused: Clark.
Total 1

Absent or not voting: Barrett, Becker, Cordier, Hilbert.
Total 4

Majority Leader Lange moved **SB 115** be re-referred to the Committee on Appropriations. There being no objection, so ordered.

Majority Leader Lange moved **SB 205** be re-referred to the Committee on Appropriations. There being no objection, so ordered.

Majority Leader Lange moved **SB 354** be re-referred to the Committee on Appropriations. Representative McAlpin objected. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 48

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner,

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Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Excused: Clark.

Total 1

Absent or not voting: Boggio.

Total 1

Majority Leader Lange moved **SB 478** be re-referred to the Committee on Appropriations. Representative W. Jones objected. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Erickson, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Excused: Clark.

Total 1

Absent or not voting: Boggio, Stahl.

Total 2

Majority Leader Lange moved **SB 497** be re-referred to the Committee on Appropriations. Representative Sands objected. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Excused: Clark.

Total 1

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Absent or not voting: Boggio.
Total 1

Majority Leader Lange moved **SB 505** be re-referred to the Committee on Appropriations. Representative Bergren objected. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 48

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Excused: Clark.
Total 1

Absent or not voting: Boggio.
Total 1

Majority Leader Lange moved **SB 518** be re-referred to the Committee on Appropriations. Representative Bergren objected. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte.
Total 47

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Excused: Clark.
Total 1

Absent or not voting: Boggio, Mr. Speaker.
Total 2

Representative Peterson moved that **SB 426** be taken from Business and Labor Committee, be printed and placed on second reading on Legislative Day 72. Vote, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson,

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Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Branae, Butcher, Cordier, Dutton, Everett, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Excused: Clark.

Total 1

Absent or not voting: Boggio.

Total 1

Representative Jopek moved to reconsider actions taken on **SB 478** and that it be placed on third reading on Legislative Day 72. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: Clark.

Total 1

Absent or not voting: Boggio.

Total 1

Representative Fury moved that **SB 432** be taken from the table in the Committee on Transportation, be printed and placed on second reading on Legislative Day 72. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 47

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange,

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MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Excused: Clark.
Total 1

Absent or not voting: Boggio.
Total 1

Representative Bergren moved to suspend the rules and have **HB 665** placed on third reading. Motion, requiring two-thirds vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 72

Noes: Barrett, Beck, Bixby, Everett, Hawk, Hilbert, Himmelberger, Hiner, Jayne, Jore, Kasten, Keane, Koopman, Lake, Lange, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Wells, Windy Boy, Mr. Speaker.
Total 25

Excused: Clark.
Total 1

Absent or not voting: Boggio, Groesbeck.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 746 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 75

Noes: Barrett, Beck, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lambert, Malcolm, Mendenhall, Morgan, Peterson, Rice, Ripley, Sinrud, Taylor, Wells, Windy Boy, Mr. Speaker.
Total 23

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Excused: Clark.
Total 1

Absent or not voting: Boggio.
Total 1

HB 665 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Stahl, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman.
Total 64

Noes: Barrett, Beck, Bixby, Blasdel, Butcher, Dickenson, Everett, Franklin, Groesbeck, Hawk, Hilbert, Himmelberger, Hiner, Jacobson, Jayne, Jore, Kasten, Keane, Koopman, Lake, Lange, Rice, Ripley, Ross, Small-Eastman, Sonju, Stoker, Taylor, Villa, Wells, Windy Boy, Witte, Mr. Speaker.
Total 33

Excused: Clark.
Total 1

Absent or not voting: Boggio, Sinrud.
Total 2

REPORTS OF STANDING COMMITTEES

JUDICIARY (Rice, Chairman):
SB 96, be amended as follows:

4/3/2007

1. Title, line 6.

Following: "ISSUE;"

Insert: "CHANGING THE ENTITY PREPARING BALLOT STATEMENTS FROM THE ATTORNEY GENERAL TO THE LEGISLATIVE SERVICES DIVISION;"

2. Title, line 7.

Strike: "PREPARING BALLOT STATEMENTS AND"

3. Title, line 16 through 17.

Strike: "ALLOWING" on line 16 through "ONLY;" on line 17

Insert: "REQUIRING THAT FACTUAL STATEMENTS CONTAINED IN BALLOT STATEMENTS MUST BE SUPPORTED BY DOCUMENTS FILED WITH THE SECRETARY OF STATE;"

Following: "TERMS;"

Insert: "PROVIDING A PENALTY;"

4. Title, line 19.

Following: "13-27-403,"

Insert: "13-27-409,"

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5. Title, line 20.

Following: "MCA;"

Strike: "AND"

Following: "13-27-313, MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

6. Page 2, line 8.

Strike: "attorney general's"

Insert: "legislative services division's"

Following: "and"

Insert: "the attorney general's"

7. Page 2, line 12.

Strike: "ATTORNEY GENERAL"

Insert: "legislative services division's"

Following: "OR"

Insert: "the attorney general's"

Following: "SUFFICIENCY"

Insert: "determination"

8. Page 2, line 15.

Strike: "AND FOR"

Strike: "LEWIS AND CLARK"

Insert: "residence of the lead petitioner"

9. Page 2.

Following: line 18

Insert: "(c) In an original proceeding pursuant to this subsection (3), the supreme court shall make its decision within 10 days of completion of the briefing schedule and any oral argument and shall report its decision within 5 days of completion of the decision."

10. Page 8, line 6.

Following: "resident"

Insert: ", as provided in 1-1-215,"

11. Page 8, line 7.

Following: "paid"

Insert: "anything of value"

12. Page 8, line 22.

Strike: "and may not contain a preamble or argumentative language"

13. Page 9, line 3.

Strike: "The text may not be submitted"

Insert: "Petitions may not be circulated for the purpose of signature gathering"

14. Page 9, line 24.

Following: "and"

Insert: "to the legislative services division"

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15. Page 10, line 10.

Strike: "attorney general"

Insert: "legislative services division"

16. Page 10, line 14.

Strike: "attorney general"

Insert: "legislative services division"

17. Page 11, line 25.

Following: "signature,"

Insert: "date,"

18. Page 12, line 25.

Following: "signature,"

Insert: "date,"

19. Page 13, line 25.

Following: "signature,"

Insert: "date,"

20. Page 14.

Following: line 13

Insert: "NEW SECTION. Section 13. Harassment of signature gatherers prohibited. A person may not knowingly or purposefully harass or intimidate another individual when that individual is obtaining or attempting to obtain signatures on a petition for a ballot measure and may not otherwise interfere with the collection of signatures on a petition for a ballot measure. A person who violates this section is guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than \$500, by imprisonment for not more than 90 days, or by both a fine and imprisonment."

Renumber: subsequent sections

21. Page 14, line 16.

Strike: "(1)"

Strike: "EXCEPT" through "AN"

Insert: "An"

22. Page 15, line 4 through line 17.

Strike: subsection (2) in its entirety

23. Page 15, line 23.

Strike: "and prepare ballot statements"

24. Page 15, lines 29 and 30.

Strike: "attorney " on line 29 through "general" on line 30

Insert: "legislative services division"

25. Page 16, line 7.

Strike: "return"

Insert: "send"

26. Page 16, line 8.

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Strike: "attorney general"

Insert: "secretary of state"

27. Page 16, line 8.

Strike: "attorney general"

Insert: "legislative services division"

28. Page 17, lines 7 and 8.

Strike: "attorney general shall also"

Insert: "legislative services division shall"

29. Page 17, line 8.

Following: "and"

Insert: "the attorney general shall give the secretary of state"

30. Page 17, line 13.

Strike: "attorney general"

Insert: "legislative services division"

31. Page 17, line 16.

Strike: "attorney general"

Insert: "legislative services division"

32. Page 17, line 18.

Strike: "attorney general"

Insert: "legislative services division"

33. Page 17, line 20.

Strike: "attorney general"

Insert: "legislative services division"

34. Page 18, line 8.

Following: "or"

Insert: "legislative services division"

35. Page 18, line 10.

Strike: "attorney general"

Insert: "legislative services division"

36. Page 18, line 17.

Strike: "attorney general"

Insert: "legislative services division"

37. Page 18, line 23.

Following: "."

Insert: "The attorney general must respond to a complaint within 5 days."

38. Page 18, line 26.

Strike: "attorney general's"

Insert: "legislative services division's"

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39. Page 19, line 5.

Strike: "attorney general"

Insert: "legislative services division"

Strike: "immediately"

Insert: "within 5 days"

40. Page 19, line 6.

Strike: "attorney general"

Insert: "legislative services division"

41. Page 19, line 15.

Strike: "attorney general"

Insert: "legislative services division"

42. Page 19, line 16.

Strike: "as soon as possible"

Insert: "within 5 days of the court's decision"

43. Page 19, line 25.

Strike: "attorney general"

Insert: "legislative services division"

44. Page 19, line 28.

Strike: "attorney general's"

Insert: "legislative services division's"

Following: "or"

Insert: "the attorney general's"

45. Page 20, lines 4 and 5.

Strike: "and for"

46. Page 20, line 5.

Strike: "Lewis and Clark"

Insert: "residence of the qualified elector"

47. Page 20, line 8.

Strike: "probably"

48. Page 22.

Following: line 1

Insert: "Section 21. Section 13-27-409, MCA, is amended to read:

"13-27-409. ~~Liability~~ Fact statement to be supported --liability for contents of argument. (1) A factual statement made in an argument advocating approval or rejection of a ballot issue or in a rebuttal argument to either of those arguments must be supported by documents filed by the proponents or opponents with the secretary of state within 2 business days of the date on which the statements are required be filed with the secretary of state.

(2) Nothing in this chapter relieves an author of any argument from civil or criminal responsibility for statements contained in an argument printed in the voter information pamphlet."

Renumber: subsequent sections

49. Page 22, line 4.

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Strike: "-- abbreviated ballot"

50. Page 22, line 13.

Strike: "attorney general's"

Insert: "legislative services division's"

51. Page 26, line 24.

Strike: "[Section 12] is"

Insert: "[Sections 12 and 13] are"

52. Page 26, lines 25 and 26.

Strike: "[section 12]"

Insert: "[sections 12 and 13]"

53. Page 26, line 27.

Strike: "17"

Insert: "18"

54. Page 26, line 28.

Strike: "17"

Insert: "18"

55. Page 26.

Following: line 28

Insert: "NEW SECTION. **Section 29. Effective date.** [This act] is effective on passage and approval."

And, as amended, be concurred in. Report adopted.

SB 393, be amended as follows:

1. Page 1, line 16.

Following: "chapter"

Insert: "who are parents of a minor child"

2. Page 1, line 17.

Strike: "A"

Strike: "the"

3. Page 1, lines 19 through 21.

Strike: subsections (a) and (b) in its entirety

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 342, be amended as follows:

1. Page 4, line 16.

Insert: "COORDINATION SECTION. **Section 5. Coordination instruction.** If House Bill No. 668 and [this act] are both passed and approved, then the section in [this act] amending 37-22-301 is void and 37-22-301 is amended to read as follows:

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"37-22-301. License requirements -- exemptions. (1) A license applicant shall satisfactorily complete an examination prescribed by the board.

(2) Before an applicant may take the examination, the applicant shall present three letters of reference from licensed social workers, licensed clinical social workers, psychiatrists, or psychologists who have knowledge of the applicant's professional performance and shall demonstrate to the board that the applicant:

(a) has a doctorate or master's degree in social work from a program accredited by the council on social work education or approved by the board;

(b) has completed at least 24 months of supervised post master's degree work experience in psychotherapy, which included 3,000 hours of social work experience, of which at least 1,500 hours were in direct client contact, within the past 5 years; and

(c) abides by the social work ethical standards adopted under 37-22-201.

(3) An applicant who fails the examination may reapply to take the examination.

(4) An applicant is exempt from the examination requirement if the applicant satisfies the board that the applicant is licensed, certified, or registered under the laws of a state or territory of the United States that imposes substantially the same requirements as this chapter and that the applicant has passed an examination similar to that required by the board.

(5) As a prerequisite to the issuance of a license, the board shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation as provided in 37-1-307.

(6) If an applicant has a history of criminal convictions, then pursuant to 37-1-203, the applicant has the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public trust, and if the board determines that the applicant is not, the license may be denied."

Insert: "COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 668 and [this act] are both passed and approved, then the section amending 37-23-202 in [this act] is void and 37-23-202 is amended to read as follows:

"37-23-202. Licensure requirements. (1) An applicant for licensure must have satisfactorily:

(a) completed a planned graduate program of 60 semester hours, primarily counseling in nature, 6 semester hours of which were earned in an advanced counseling practicum that resulted in a graduate degree from an institution accredited to offer a graduate program in counseling;

(b) completed 3,000 hours of counseling practice supervised by a licensed professional counselor or licensed member of an allied mental health profession, at least half of which was postdegree. The applicant must have each supervisor endorse the application for licensure, attesting to the number of hours supervised.

(c) passed an examination prepared and administered by:

(i) the national board of certified counselors; or

(ii) the national academy of certified clinical mental health counselors; and

(d) completed an application.

(2) The board shall provide by rule for licensure of a person who possesses a graduate degree that consists of a minimum of 45 semester hours primarily related to counseling and that is from an institution accredited to offer a graduate program in counseling, by specifying the additional graduate credit hours necessary to fulfill the requirements of subsection (1)(a) in counseling courses in an approved program within a period of 5 years.

(3) As a prerequisite to the issuance of a license, the board shall require the applicant to submit fingerprints for the purpose of fingerprint checks by the Montana department of justice and the federal bureau of investigation as provided in 37-1-307.

(4) If an applicant has a history of criminal convictions, then pursuant to 37-1-203, the applicant has the opportunity to demonstrate to the board that the applicant is sufficiently rehabilitated to warrant the public trust, and if the board determines that the applicant is not, the license may be denied."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

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SB 41, be amended as follows:

1. Title, line 6.

Following: "SELL"

Insert: ", LEASE,"

2. Title, lines 7 and 8.

Strike: "WITHIN" on line 7 through "TOWN" on line 8

3. Title, line 10.

Strike: "PURPOSE"

Insert: "USE"

4. Page 1, lines 17 and 18.

Strike: "and purposes"

5. Page 1, line 22.

Following: "property"

Insert: "with the intent"

Following: "sell"

Insert: ", lease,"

Following: "provide"

Insert: "the property"

6. Page 1, lines 22 and 23.

Strike: "within" on line 22 through "town" on line 23

7. Page 3, line 16.

Strike: "purpose"

Insert: "use"

8. Page 3, lines 16 and 17.

Following: "means"

Insert: ":

(a)

Following: "a"

Insert: "public"

Strike: "for" on line 16 through "FUNDS" on line 17

Insert: "enumerated in 70-30-102; or

(b) a project financed by the method provided for in 7-15-4288"

9. Page 4, line 1.

Strike: "purpose"

Insert: "use"

10. Page 4, line 16.

Strike: "purpose"

Insert: "use"

11. Page 5, line 5.

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Strike: "purpose"

Insert: "use"

12. Page 6, line 16.

Following: "property"

Insert: "with the intent"

Following: "sell"

Insert: ", lease,"

Following: "provide"

Insert: "the property"

13. Page 6, lines 16 and 17.

Strike: "within" on line 16 through "town" on line 17

And, as amended, be concurred in. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 10:00 a.m., Wednesday, April 4, 2007. Motion carried.

House adjourned at 6:40 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 4, 2007

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Windy Boy, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 4/3/2007
Correctly printed: **SB 447**.
Signed by the President at 4:30 p.m., April 3, 2007: **HB 363**.
Correctly engrossed: **SB 41, SB 393, SB 424, SB 433, SB 547**. 4/4/2007
Delivered to the Governor for approval at 8:55 a.m., April 4, 2007: **HB 363**.

FISH, WILDLIFE AND PARKS (Milburn, Chairman): 4/4/2007
SB 128, be concurred in. Report adopted.
SB 372, be concurred in. Report adopted.
SJR 18, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman): 4/4/2007
SB 49, be amended as follows:

1. Title, line 9.

Following: "1-1-215,"

Insert: "20-5-321,"

2. Page 1, line 12 through page 2, line 9.

Strike: page 1 line 12 through page 2, line 9

3. Page 3.

Following: line 17

Insert: "NEW SECTION. **Section 1. Purpose -- legislative intent -- parental rights -- definitions.** (1) The legislature recognizes that the rights of parents to the custody and control of a child are based upon liberties secured by the United States and Montana constitutions and that a parent's rights to that custody and control of a child are therefore normally supreme to the interests of other persons. The legislature also recognizes a growing phenomenon in which absent or otherwise unavailable parents have temporarily surrendered the custody and care of their children to a grandparent or other relative for lengthy periods of time. Regardless of the purpose of the absence, a child willfully surrendered to a relative for an extended time period still has the same needs as a child in the care of its parents. In this situation, a caretaker relative assumes responsibilities for the child but has no legal right of control over the child, a situation that interferes in the caretaker relative's ability to perform routine functions of child rearing, including tending to the educational and educationally related medical needs of the child. It is therefore the purpose of the legislature in these instances to protect the rights of a child granted by Article II, section 15, of the Montana constitution by granting a caretaker relative limited authority for a child left in the relative's care.

(2) It is the intent of the legislature that a caretaker relative given the responsibility of caring for a child with little or no warning and without any other provision having been made for the child's care, such as the appointment of a guardian or the provision of a power of attorney, be granted authority to enroll the child in school, discuss with the school district the child's educational progress, and consent to an educational service and to medical care for the

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child related to an educational service without superseding any parental rights regarding the child.

(3) [Sections 2 and 3] and this section are not intended to affect the rights and responsibilities of a parent, legal guardian, or other custodian regarding the child, do not grant legal custody of the child to the caretaker relative, and do not grant authority to the caretaker relative to consent to the marriage or adoption of the child or to receive notice of a medical procedure, including abortion, not consented to by the relative, if notice is required by law, for the child except as expressly provided in this section.

(4) For the purposes of [sections 2 and 3] and this section, the following definitions apply:

(a) "Caretaker relative" or "relative" means an individual related by blood, marriage, or adoption by another individual to the child whose care is undertaken by the relative, but who is not a parent, foster parent, stepparent, or legal guardian of the child.

(b) "Caretaker relative educational authorization affidavit" or "affidavit" means an affidavit completed in compliance with [section 3].

(c) "Health care provider" means a person who provides medical care.

(d) "Medical care" means care, by a health care provider for which parental consent is normally required, for the prevention, diagnosis, or treatment of a mental, physical, or dental injury or disease.

(e) "Parent" means a biological parent, adoptive parent, or other legal guardian of the child whose parental rights have not been terminated."

Renumber: subsequent sections

4. Page 3, line 20.

Following: "may"

Insert: ", in accordance with this section, "

5. Page 3, line 25.

Following: "contact"

Insert: "either of"

Strike: "parent"

Insert: "parents"

6. Page 3, line 26.

Following: "parent"

Strike: "refuses"

Insert: "or parents whom the relative is able to contact refuse"

Following: "written"

Insert: "or oral"

7. Page 3, line 29.

Strike: "2"

Insert: "3"

8. Page 4, line 2.

Strike: "NOT"

9. Page 4, lines 2 and 3.

Strike: "IF: (A)"

Insert: "unless"

9.1 Page 4, lines 4 and 5

Strike: "(i)"

Insert: "(a)"

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Strike: "(ii)"
Insert: "(b)"

10. Page 4, line 4.

Following: "¿"
Insert: "or"

11. Page 4, lines 5 through 7.

Strike: "; OR" on line 5 through "SCHOOL" on line 7

12. Page 4, lines 10 through 20.

Strike: subsection (4) in its entirety

13. Page 5, line 21.

Strike: "6 months"

Insert: "the end of the first school year after delivery of the affidavit to a school district"

14. Page 6, line 26.

Strike: the first "parent"

Insert: "parents"

Strike: "that parent"

Insert: "the parents"

15. Page 6, line 27.

Strike: "parent refuses"

Insert: "parents refuse"

16. Page 6, line 28.

Strike: "parent"

Insert: "parents"

17. Page 7, line 12.

Strike: "parent"

Insert: "parents"

18. Page 8, line 18.

Strike: "1"

Insert: "2"

Following: the second "the"

Insert: "last-known"

19. Page 8, lines 18 and 19.

Strike: "a caretaker relative, as defined in [section 1]"

Insert: "the parent with whom the minor normally resided immediately prior to residing with the caretaker relative"

20. Page 8, line 22.

Strike: "AND 2"

Insert: "through 3"

21. Page 8.

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Following: line 24

Insert: "Section 5. Section 20-5-321, MCA, is amended to read:

"20-5-321. Attendance with mandatory approval -- tuition and transportation. (1) An out-of-district attendance agreement that allows a child to enroll in and attend a school in a Montana school district that is outside of the child's district of residence or in a public school district of a state or province that is adjacent to the county of the child's residence is mandatory whenever:

(a) the child resides closer to the school that the child wishes to attend and more than 3 miles from the school the child would attend in the resident district and the resident district does not provide transportation; or

(b) (i) the child resides in a location where, because of geographic conditions between the child's home and the school that the child would attend within the district of residence, it is impractical to attend school in the district of residence, as determined by the county transportation committee based on the following criteria:

(A) the length of time that is in excess of the 1-hour limit for each bus trip for an elementary child as authorized under 20-10-121;

(B) whether distance traveled is greater than 40 miles one way from the child's home to school on a dirt road or greater than a total of 60 miles one way from the child's home to school in the district of residence over the shortest passable route; or

(C) whether the condition of the road or existence of a geographic barrier, such as a river or mountain pass, causes a hazard that prohibits safe travel between the home and school.

(ii) The decision of the county transportation committee is subject to appeal to the superintendent of public instruction, as provided in 20-3-107, but the decision must be considered as final for the purpose of the payment of tuition under 20-5-324(5)(a)(ii) until a decision is issued by the superintendent of public instruction. The superintendent of public instruction may review and rule upon a decision of the county transportation committee without an appeal being filed.

(c) the child is a member of a family that is required to send another child outside of the elementary district to attend high school and the child of elementary age may more conveniently attend an elementary school where the high school is located, provided that the child resides more than 3 miles from an elementary school in the resident district or that the parent is required to move to the elementary district where the high school is located to enroll another child in high school. A child enrolled in an elementary school pursuant to this subsection (1)(c) may continue to attend the elementary school after the other child has left the high school.

(d) the child is under the protective care of a state agency or has been adjudicated to be a youth in need of intervention or a delinquent youth, as defined in 41-5-103; ~~or~~

(e) the child is required to attend school outside of the district of residence as the result of a placement in foster care or a group home licensed by the state; or

(f) the child is residing with a caretaker relative who wants to enroll the child pursuant to [section 2].

(2) (a) Whenever a parent or guardian of a child, an agency of the state, or a court wishes to have a child attend a school under the provisions of this section, the parent or guardian, agency, or court shall complete an out-of-district attendance agreement in consultation with an appropriate official of the district that the child will attend.

(b) The attendance agreement must set forth the financial obligations, if any, for costs incurred for tuition and transportation as provided in 20-5-323 and Title 20, chapter 10.

(c) (i) The trustees of the district of choice may waive any or all of the tuition rate. The trustees of the district of choice may waive the tuition for all students whose tuition is required to be paid by one type of entity and may charge tuition for all students whose tuition is required to be paid by another type of entity. However, any waiver of tuition must be applied equally to all students whose tuition is paid by the same type of entity.

(ii) As used in this subsection (2)(c), "entity" means a parent, a guardian, the trustees of the district of residence, or a state agency.

(3) Except as provided in subsection (4), the trustees of the resident district and the trustees of the district of attendance shall approve the out-of-district attendance agreement. The trustees of the district of attendance shall:

(a) notify the county superintendent of schools of the county of the child's residence of the approval of the agreement within 10 days; and

(b) submit the agreement for a student attending under the provisions of subsection (1)(d) or (1)(e) to the superintendent of public instruction for approval for payment under 20-5-324.

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(4) Unless the child is a child with a disability who resides in the district, the trustees of the district where the school to be attended is located may disapprove an out-of-district attendance agreement whenever they find that, because of insufficient room and overcrowding, the accreditation of the school would be adversely affected by the acceptance of the child.""

Renumber: subsequent sections

22. Page 8, line 30.

Strike: "2"

Insert: "3"

23. Page 9, line 2.

Strike: "2"

Insert: "3"

24. Page 9, line 4.

Strike: "2"

Insert: "3"

25. Page 9, line 8.

Strike: "2"

Insert: "3"

26. Page 9, line 12.

Strike: "2"

Insert: "3"

27. Page 11, line 5.

Strike: "2"

Insert: "3"

28. Page 12, line 1.

Strike: "AND 2"

Insert: "through 3"

29. Page 12, line 3.

Strike: "AND 2"

Insert: "through 3"

30. Page 12, line 6.

Strike: "2(4)(A)"

Insert: "3(4)(a)"

31. Page 12, line 9.

Strike: "2(4)(A)"

Insert: "3(4)(a)"

32. Page 12, line 10.

Strike: "2(9)"

Insert: "3(9)"

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And, as amended, be concurred in. Report adopted.

SB 404, be amended as follows:

1. Title, line 5.

Following: "FIREFIGHTERS"

Insert: "; PROVIDING FOR LEGAL REPRESENTATION OF FIREFIGHTERS; REQUIRING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO PAY ATTORNEY FEES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, lines 12 through 14.

Strike: "THE" on line 12 through "FIRE." on line 14

Insert: "(1) The department shall pay reasonable attorney fees and costs for outside legal counsel to defend a firefighter against a criminal prosecution for a good faith act or omission by the firefighter arising from the firefighter's performance of duties during a wildfire. The department director has sole discretion to determine whether the firefighter's act or omission was in good faith and arising from the performance of the firefighter's duties during a wildfire. The requirement to pay attorney fees and costs does not apply to any postconviction legal proceedings.

(2) The department shall adopt rules to implement this section."

Insert: "NEW SECTION. Section 3. Legal representation for firewarden, firefighter, or employee -- governmental fire agency. A firewarden, firefighter, or paid or volunteer employee of a governmental fire agency must be provided legal representation by the employing entity for a criminal prosecution arising from an act or omission in the performance of duties on a fire or in fire training that is made in good faith and within the course and scope of employment of the firewarden, firefighter, or paid or volunteer employee."

3. Page 2, line 19.

Strike: "[SECTION 2] IS"

Insert: "[Sections 2 and 3] are"

4. Page 2, line 20.

Strike: "[SECTION 2]"

Insert: "[sections 2 and 3]"

5. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

4/4/2007

HB 833, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

4/3/2007

SB 105, introduced by Lind

SB 400, introduced by Kaufmann

SB 567, introduced by Gillan

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House bills concurred in and returned to the House:

4/3/2007

HB 113, introduced by McChesney

HB 372, introduced by Ingraham

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:4/3/2007

HB 26, introduced by McGillvray

HB 235, introduced by Dutton

HB 364, introduced by Malcolm

HB 537, introduced by Ripley

HB 668, introduced by Stahl

HB 737, introduced by Hilbert

HB 755, introduced by Keane

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments:

4/3/2007

HJR 16, introduced by Ripley

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 56, introduced by Sands, Clark, Campbell, Lind, Weinberg, Kauffman, Squires, W. Jones, Franklin, Henry, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

SB 105, introduced by Lind (by request of the Energy and Telecommunications Interim Committee), referred to Appropriations.

SB 400, introduced by Kaufmann, Caferro, Juneau, Wanzenried, referred to Appropriations.

SB 567, introduced by Gillan, Laslovich, referred to Appropriations.

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House resumed at 10:20 a.m.

Majority Leader Lange moved to suspend the rules to allow **SB 49** and **SB 404** be placed on second reading this day. Without objections, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Lange moved consideration of **SB 449** be placed below **SB 121** on the second reading board. Motion carried.

SB 121 - Representative Lake moved **SB 121** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Callahan, Erickson, Hamilton, Henry, Phillips, Pomnichowski.

Total 6

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 449 - Representative Wiseman moved **SB 449** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 66

Noes: Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, Mendenhall, Milburn, Nooney, Olson, Peterson, Rice, Ripley, Stoker, Taylor, Vincent, Wells, Witte.

Total 33

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Thomas.

Total 1

SB 133 - Representative McGillvray moved **SB 133** be concurred in.

SB 133 - Representative McGillvray moved **SB 133**, second reading copy, be amended as follows:

1. Page 2, line 22.

Strike: "FIRST \$2,000 OF THE CASH VALUE OF THE"

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2. Page 2, line 23.

Strike: ", CONSIDERED TOGETHER, THAT ARE"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Dickenson, Jore, Koopman, Villa, Wells, Windy Boy.
Total 6

Voted Absentee: Windy Boy, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 133 - The motion that **SB 133**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Becker, Koopman.
Total 2

Voted Absentee: Windy Boy, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 225 - Representative Ward moved **SB 225** be concurred in. Motion carried as follows:

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Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Ankney, Hendrick, Ingraham, Jore, Morgan, Wells.

Total 6

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 233 - Representative Hamilton moved **SB 233** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Beck, Blasdel, Boggio, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Mendenhall, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Erickson, Reinhart.

Total 2

SB 276 - Representative Noonan moved consideration that **SB 276** be placed below **SB 525** on the second reading board. There being no objection, so ordered.

SB 291 - Representative Rice moved consideration of **SB 291** be moved to the second agenda of the day. There being no objection, so ordered.

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SB 491 - Representative Dutton moved **SB 491** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Beck, Hawk, Himmelberger, Ingraham, Jore, Kerns, Koopman, Lake, Malcolm, Sinrud, Stoker, Wells.

Total 12

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Olson, Rice, Sonju, Vincent.

Total 4

SB 492 - Representative Lambert moved **SB 492** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Boggio, Jore, Koopman.

Total 3

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Olson.

Total 1

SB 525 - Representative McAlpin moved **SB 525** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Total 97

Noes: Sinrud, Mr. Speaker.
Total 2

Voted Absentee: Windy Boy, Aye.

Excused: None.
Total 0

Absent or not voting: Vincent.
Total 1

SB 276 - Representative Keane moved **SB 276** be concurred in.

SB 276 - Representative Reinhart moved **SB 276**, second reading copy, be amended as follows:

1. Page 9, line 4.
Strike: "INSURED"
Insert: "applicant"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.
Total 97

Noes: Sinrud, Windy Boy, Mr. Speaker.
Total 3

Voted Absentee: Windy Boy, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 276 - The motion that **SB 276**, as amended, be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Becker, Boggio, Kasten.

Total 3

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 12 - Representative Hamilton moved **SJR 12** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 61

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Wells, Mr. Speaker.

Total 38

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 48 - Representative Raser moved **SB 48** be concurred in. Motion, requiring a two-thirds vote of each House, carried as follows:

Ayes: Arntzen, Augare, Barrett, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham,

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Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Ankney, Beck, Becker, Bixby, Heinert, Hendrick, Jayne, Jore, Kasten, Mendenhall, Peterson, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 130 - Representative Stoker moved **SB 130** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

Noes: Blasdel, Everett, Hawk, Jayne, Jore, Koopman, Sinrud, Mr. Speaker.

Total 8

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Beck, Morgan.

Total 2

SB 227 - Representative Peterson moved **SB 227** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

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Total 97

Noes: Jore, Ross, Windy Boy.

Total 3

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 284 - Representative Lake moved **SB 284** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Caferro, Campbell, Erickson, Everett, French, Hawk, W. Jones, Jore.

Total 8

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 324 - Representative Vincent moved **SB 324** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

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Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 363 - Representative Kottel moved **SB 363** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

SB 384 - Representative Nooney moved **SB 384** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Koopman.

Total 1

Voted Absentee: Windy Boy, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 419 - Representative Reinhart moved **SB 419** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Ankney, Barrett, Beck, Becker, Blasdel, Boggio, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Rice, Ripley, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 486 - Representative McGillvray moved **SB 486** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 70

Noes: Beck, Boggio, Butcher, Everett, Glaser, Groesbeck, Hawk, Heinert, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Lake, Lambert, Malcolm, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 30

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 147 - Representative Lambert moved **SB 147** be concurred in.

SB 147 - Representative Lambert moved **SB 147**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Blasdel, Butcher, Clark, Dutton, Everett, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 48

Noes: Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Kottel, McAlpin, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: Sonju.

Total 1

HB 147 - Representative Heinert moved **HB 147**, second reading copy, be amended as follows:

1. Page 1, line 28.

Following: "Permits"

Strike: "may"

Insert: "must"

2. Page 1, line 30.

Following: "hazard"

Insert: "unless there is a significant risk to human safety if entrance is allowed"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Clark, Dutton, Erickson, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 54

Noes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 46

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 147 - The motion that **SB 147**, as amended, be concurred in carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Ankney, Blasdel, Dutton, Groesbeck, Heinert, Hendrick, Jayne, Jore, Koopman, Rice, Sesso, Stahl, Taylor, Vincent, Ward.

Total 15

Excused: Windy Boy.

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Total 1

Absent or not voting: Bixby, Himmelberger, Ingraham, McNutt, Mendenhall, Ripley, Sinrud.

Total 7

MOTIONS

Majority Leader Lange moved to suspend the rules to allow **HB 833** to be placed on second reading today. There being no objections, so ordered.

Majority Leader Lange moved the House stand in recess until 1:15 p.m.

House resumed at 1:15 p.m. Speaker in the chair. All members present except for Representative Windy Boy, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 41 - Representative Kottel moved **SB 41** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 89

Noes: Campbell, Driscoll, Dutton, Heinert, Hilbert, Klock, Malcolm, Peterson.

Total 8

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Everett, Sinrud, Mr. Speaker.

Total 3

SB 96 - Representative Olson moved **SB 96** be concurred in.

SB 96 - Representative Olson moved **SB 96**, second reading copy, be amended as follows:

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1. Page 2, line 21.

Strike: "THE LEAD PETITIONER"

Insert: "a qualified elector"

2. Page 2, lines 25 through 27.

Strike: subsection (c) in its entirety

3. Page 28, line 3.

Insert: "NEW SECTION. **Section 29. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Renumber: subsequent section

Amendment adopted as follows:

Ayes: Ankney, Augare, Beck, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Arntzen, Barrett, Becker, Blasdel, Boggio, Butcher, Cohenour, Dutton, French, Heinert, Hiner, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Morgan, O'Hara, Rice, Ross, Sinrud, Taylor, Villa, Wells, Witte, Mr. Speaker.

Total 29

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Representative Koopman moved **SB 96**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Blasdel, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Nooney, Sinrud, Small-Eastman, Sonju, Stoker, Ward, Wells, Witte, Mr. Speaker.

Total 28

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Stahl, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 70

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: Beck, Vincent.

Total 2

SB 96 - The motion that **SB 96**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Everett, Hawk, Ingraham, Jayne, Jore, Koopman, Lake, Wells.

Total 8

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 393 - Representative Kottel moved **SB 393** be concurred in.

SB 393 - Representative Gallik moved **SB 393**, second reading copy, be amended as follows:

1. Page 1, line 16.

Strike: "WHO ARE PARENTS OF A MINOR CHILD"

2. Page 1, line 17.

Strike: "THE"

Insert: "A"

3. Page 1.

Following: line 22

Insert: "(a) that participation in parenting mediation would result in the imposition of a cost to a party whose filing or appearance fees have been waived pursuant to 25-10-404;

(b) that requiring parenting mediation would constitute a financial hardship to either party;"

Renumber: subsequent subsections

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Amendment adopted as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Jore, Keane, Koopman, Lambert, McAlpin, McChesney, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Clark, Cordier, Dickenson, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, L. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Nooney, Peterson, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 49

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

SB 393 -The motion that **SB 393**, as amended, be concurred in **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Caferro, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 424 - Representative Kottel moved **SB 424** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh,

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Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Ankney, Blasdel, Hawk, Heinert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, Mendenhall, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 17

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Klock, Nooney.

Total 2

SB 433 - Representative Peterson moved **SB 433** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Beck, Lange, MacLaren, Nooney, Sinrud, Mr. Speaker.

Total 6

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

SB 547 - Representative O'Hara moved **SB 547** be concurred in.

SB 547 - Representative Sinrud moved **SB 547**, second reading copy, be amended.

Amendment **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 46

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Malcolm, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 54

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 547 - Representative Sinrud moved **SB 547**, second reading copy, be amended as follows:

1. Page 37, line 20 through page 39, line 2.

Strike: sections 24 and 25 in their entirety

Renumber: subsequent sections

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Dutton, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 547 - Representative Sinrud moved **SB 547**, second reading copy, be amended as follows:

1. Title, line 14.

Following: "45-5-512,"

Insert: "45-5-601, 45-5-602, 45-5-603,"

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2. Page 14, line 11.

Insert: "Section 9. Section 45-5-601, MCA, is amended to read:

"45-5-601. Prostitution. (1) A person commits the offense of prostitution if the person engages in or agrees or offers to engage in sexual intercourse with another person for compensation, whether ~~such~~ the compensation is received or to be received or paid or to be paid.

(2) (a) A prostitute convicted of prostitution shall be fined an amount not to exceed \$500 or be imprisoned in the county jail for a term not to exceed 6 months, or both.

(b) ~~★~~ Except as provided in subsection (3), a prostitute's client who is convicted of prostitution shall for the first offense be fined an amount not to exceed \$1,000 or be imprisoned for a term not to exceed 1 year, or both, and for a second or subsequent offense shall be fined an amount not to exceed \$10,000 or be imprisoned for a term not to exceed 5 years, or both.

(3) (a) If the prostitute was 12 years of age or younger and the prostitute's client was 18 years of age or older at the time of the offense, the offender:

(i) shall be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (3)(a)(i) except as provided in 46-18-222, and during the first 25 years of imprisonment, the offender is not eligible for parole.

(ii) may be fined an amount not to exceed \$50,000; and

(iii) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.

(b) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in 46-23-1010."

Insert: "Section 10. Section 45-5-602, MCA, is amended to read:

"45-5-602. Promoting prostitution. (1) A person commits the offense of promoting prostitution if the person purposely or knowingly commits any of the following acts:

(a) owns, controls, manages, supervises, resides in, or otherwise keeps, alone or in association with others, a house of prostitution or a prostitution business;

(b) procures an individual for a house of prostitution or a place in a house of prostitution for an individual;

(c) encourages, induces, or otherwise purposely causes another to become or remain a prostitute;

(d) solicits clients for another person who is a prostitute;

(e) procures a prostitute for a patron;

(f) transports an individual into or within this state with the purpose to promote that individual's engaging in prostitution or procures or pays for transportation with that purpose;

(g) leases or otherwise permits a place controlled by the offender, alone or in association with others, to be regularly used for prostitution or for the procurement of prostitution or fails to make reasonable effort to abate that use by ejecting the tenant, notifying law enforcement authorities, or using other legally available means; or

(h) lives in whole or in part upon the earnings of an individual engaging in prostitution, unless the person is the prostitute's minor child or other legal dependent incapable of self-support.

(2) ~~★~~ Except as provided in subsection (3), a person convicted of promoting prostitution shall be fined an amount not to exceed \$50,000 or be imprisoned in a state prison for a term not to exceed 10 years, or both.

(3) (a) If the prostitute was 12 years of age or younger and the prostitute's client was 18 years of age or older at the time of the offense, the offender:

(i) shall be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (3)(a)(i) except as provided in 46-18-222, and during the first 25 years of imprisonment, the offender is not eligible for parole.

(ii) may be fined an amount not to exceed \$50,000; and

(iii) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.

(b) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject

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to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in 46-23-1010."

Insert: "Section 11. Section 45-5-603, MCA, is amended to read:

"45-5-603. Aggravated promotion of prostitution. (1) A person commits the offense of aggravated promotion of prostitution if the person purposely or knowingly commits any of the following acts:

(a) compels another to engage in or promote prostitution;

(b) promotes prostitution of a child under the age of 18 years, whether or not the person is aware of the child's age;

(c) promotes the prostitution of one's spouse, child, ward, or any person for whose care, protection, or support the person is responsible.

(2) (a) Except as provided in ~~subsection~~ subsections (2)(b) and (2)(c), a person convicted of aggravated promotion of prostitution shall be punished by:

(i) life imprisonment; or

(ii) imprisonment in a state prison for a term not to exceed 20 years or a fine in an amount not to exceed \$50,000, or both.

(b) Except as provided in 46-18-219 and 46-18-222, a person convicted of aggravated promotion of prostitution of a child, who at the time of the offense is under 18 years of age, shall be punished by:

(i) life imprisonment; or

(ii) imprisonment in a state prison for a term of not less than 4 years or more than 100 years or a fine in an amount not to exceed \$100,000, or both.

(c) (i) If the prostitute was 12 years of age or younger and the prostitute's client was 18 years of age or older at the time of the offense, the offender:

(A) shall be punished by imprisonment in a state prison for a term of 100 years. The court may not suspend execution or defer imposition of the first 25 years of a sentence of imprisonment imposed under this subsection (2)(c)(i)(A) except as provided in 46-18-222, and during the first 25 years of imprisonment, the offender is not eligible for parole.

(B) may be fined an amount not to exceed \$50,000; and

(C) shall be ordered to enroll in and successfully complete the educational phase and the cognitive and behavioral phase of a sexual offender treatment program provided or approved by the department of corrections.

(ii) If the offender is released after the mandatory minimum period of imprisonment, the offender is subject to supervision by the department of corrections for the remainder of the offender's life and shall participate in the program for continuous, satellite-based monitoring provided for in 46-23-1010."

Renumber: subsequent sections

3. Page 16, line 13.

Following: "45-5-627,"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

Following: "or"

Insert: "if the defendant was convicted under"

Strike: "if"

Insert: "and"

4. Page 18, line 2.

Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

5. Page 20, line 22.

Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

6. Page 21, line 19.

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Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

7. Page 23, line 10.

Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

8. Page 24, line 4.

Following: line 3

Insert: "(x) 45-5-601(3), 45-5-602(3), or 45-5-603(2)(c), prostitution, promotion of prostitution, or aggravated promotion of prostitution when the prostitute was 12 years of age or younger and the prostitute's client was 18 years of age or older at the time of the offense;"

Renumber: subsequent subsections

9. Page 25, line 24.

Following: "CHILDREN),"

Insert: "45-5-601(3), 45-5-602(3),"

Following: "45-5-603(1)(b)"

Insert: "or (2)(c)"

10. Page 33, line 28.

Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

11. Page 34, line 17.

Following: "45-5-507(5),"

Insert: "45-5-601(3), 45-5-602(3), 45-5-603(2)(c),"

12. Page 39, line 10.

Strike: "16"

Insert: "19"

Strike: "21"

Insert: "24"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 87

Noes: Bixby, Caferro, Dickenson, Franklin, Hawk, Henry, Jayne, W. Jones, Jopek, Musgrove, Peterson, Villa, Windy Boy.

Total 13

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Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 547 - Representative Sinrud moved **SB 547**, second reading copy, be amended as follows:

1. Page 8, line 29.

Strike: "3"

Insert: "4"

2. Page 10, line 12.

Strike: "3"

Insert: "4"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Butcher, Campbell, Clark, Dutton, Ebinger, Everett, Franklin, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilson, Witte, Mr. Speaker.

Total 65

Noes: Becker, Bixby, Boggio, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Erickson, French, Grinde, Hands, Henry, Hiner, Hollenbaugh, Jayne, Jopek, Koopman, McAlpin, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Villa, Wilmer, Windy Boy, Wiseman.

Total 35

Voted Absentee: Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 547 - The motion that **SB 547**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 95

Noes: Bixby, Dickenson, Jayne, Musgrove.
Total 4

Voted Absentee: Windy Boy, Aye.

Excused: None.
Total 0

Absent or not voting: Peterson.
Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 81

Noes: Bixby, Franklin, Groesbeck, Jayne, Raser.
Total 5

Excused: Windy Boy.
Total 1

Absent or not voting: Beck, Caferro, Glaser, Grinde, L. Jones, W. Jones, Keane, McChesney, McNutt, Parker, Peterson, Sinrud, Van Dyk.
Total 13

Majority Leader Lange moved the House stand in recess until 4:15.p.m.

House resumed at 4:15 p.m. Speaker in the chair. All members present except for Representative Windy Boy and Representative Clark, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNutt in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 291 - Representative Rice moved consideration of **SB 291** be placed at the bottom of the second reading board for

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the purpose of amendment. There being no objection, so ordered.

SB 49 - Representative Kottel moved **SB 49** be concurred in. Motion, requiring a two-thirds vote of each House, carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Ankney, Jore, Koopman, Wells.

Total 4

Voted Absentee: Windy Boy, Aye.

Excused: None.

Total 0

Absent or not voting: Clark, Sinrud.

Total 2

SB 404 - Representative Lange moved consideration of **SB 404** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

SB 342 - Representative Kottel moved **SB 342** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 78

Noes: Barrett, Boggio, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Mr. Speaker.

Total 22

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 379 - Representative Kottel moved **SB 379** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Kerns, Lambert, Peterson.

Total 4

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 833 - Representative Stahl moved **HB 833** do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 77

Noes: Augare, Bixby, Branae, Caferro, Callahan, Cohenour, Erickson, Franklin, Furey, Grinde, Hamilton, Hands, Henry, Kottel, Malcolm, Musgrove, Parker, Raser, Small-Eastman, Villa, Wilmer, Wilson, Windy Boy.

Total 23

Voted Absentee: Clark, Aye; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 291 - Representative Koopman moved **SB 291** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hollenbaugh, Ingraham,

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Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 87

Noes: Ankney, Boggio, Caferro, Driscoll, Dutton, Glaser, Hiner, Musgrove, Reinhart, Rice, Van Dyk, Windy Boy.
Total 12

Voted Absentee: Clark, Aye; Windy Boy, No.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 404 - Representative Stoker moved **SB 404** be concurred in. Motion, requiring two-thirds vote of each House, carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Becker, Boggio, Butcher, Dutton, Everett, Gallik, Grinde, Hawk, Hilbert, Himmelberger, Jacobson, Jayne, Jore, Kasten, Kerns, McAlpin, Mendenhall, Morgan, Musgrove, Peterson, Ripley, Sonju, Wells, Witte, Mr. Speaker.
Total 26

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

Representative Gallik moved to reconsider the action taken on **SB 393** and have Amendment number one stripped from the bill. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 53

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Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Lake, Lambert, Lange, MacLaren, Malcolm, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 42

Excused: Clark, Windy Boy.

Total 2

Absent or not voting: French, Koopman, Small-Eastman.

Total 3

Representative Gallik moved to place **SB 393** on second reading this day. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman.

Total 52

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 43

Excused: Clark, Windy Boy.

Total 2

Absent or not voting: French, Koopman, Small-Eastman.

Total 3

SB 393 - Representative Kottel moved **SB 393** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Caferro, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman McNutt moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Callahan, Campbell, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Taylor, Van Dyk, Villa, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 65

Noes: Heinert, Hendrick, Jore, Rice, Ward, Wells.

Total 6

Excused: Clark, Windy Boy.

Total 2

Absent or not voting: Arntzen, Branae, Butcher, Caferro, Driscoll, Everett, Franklin, Gallik, Hawk, Hilbert, Himmelberger, Jayne, Kasten, Kerns, Koopman, Mendenhall, O'Hara, Peterson, Ripley, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Vincent, Witte.

Total 27

MOTIONS

Majority Leader Lange moved to suspend the rules and place all second reading bills on third reading this day. There being no objections, so ordered.

Representative Pomnichowski moved to take **SB 78** from the table in the Committee on Fish, Wildlife and Parks and have it printed and placed on second reading on Legislative Day 73. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 47

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Clark, Windy Boy.

Total 2

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Absent or not voting: W. Jones.
Total 1

Representative Phillips moved to take **SB 337** from the table in the Committee on Judiciary and have it printed and placed on second reading on Legislative Day 73. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 46

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Clark, Windy Boy.
Total 2

Absent or not voting: French, Keane.
Total 2

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/4/2007
Correctly printed: **HB 833, SB 128, SB 372.**
Correctly engrossed: **SB 49, SB 96, SB 342, SB 379, SB 404.**
Correctly enrolled: **HB 99, HB 348, HB 587, HB 617, HB 657, HB 782, HJR 26, HB 35, HB 113, HB 372, HB 629, HJR 22, HJR 33.**
Examined by the sponsor and found to be correct: **HB 99, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782, HB 113, HB 35, HJR 33, HJR 26, HJR 22, HB 629.**

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 4/4/2007
SB 391, be amended as follows:

1. Title, lines 7 and line 8.

Strike: "OR" on line 7 through "ORGANIZATION" on line 8

2. Page 2, line 23.

Strike: "in perpetuity or"

Strike: "of"

Insert: "not to exceed 50"

Following: "years"

Insert: ", and the department shall reappraise the value of the conservation easement every 10 years and adjust the easement payment terms to be commensurate with current value of the easement"

3. Page 2, line 24.

Strike: "or a qualified private organization, as defined in 76-6-104"

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4. Page 3, line 4.

Insert: "(c) The total acreage of land under conservation easements pursuant to this section, excluding conservation easements negotiated prior to [the effective date of this act], may not exceed 25,000 acres."

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):

4/4/2007

SB 158, be concurred in. Report adopted.

SB 185, be concurred in. Report adopted.

NATURAL RESOURCES (McNutt, Chairman):

4/4/2007

SB 376, be concurred in. Report adopted.

SB 446, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 27 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, Van Dyk.

Total 2

SB 31, requiring a two-thirds vote of each House, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker,

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Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore.

Total 1

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 172 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Koopman, Nooney, Sonju, Stahl.

Total 4

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Franklin, French.

Total 2

SB 181 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

Noes: Boggio, Mendenhall, Ripley, Sinrud, Sonju, Mr. Speaker.

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Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, Peterson.

Total 2

SB 213 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 73

Noes: Barrett, Blasdel, Boggio, Dutton, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Vincent, Ward, Wells, Mr. Speaker.

Total 26

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 222 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wells, Wilson, Windy Boy, Wiseman.

Total 78

Noes: Barrett, Boggio, Campbell, Everett, Groesbeck, Hawk, Jayne, Jore, Kerns, Koopman, Lange, McGillvray, Rice, Ripley, Sesso, Sinrud, Vincent, Ward, Wilmer, Witte, Mr. Speaker.

Total 21

Voted Absentee: Clark, Windy Boy, Ayes.

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Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 251 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 83

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Lake, Rice, Ripley, Ross, Sonju, Vincent, Wells, Witte.
Total 16

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 258 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Driscoll, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 81

Noes: Becker, Caferro, Campbell, Dickenson, Erickson, Franklin, Gallik, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jayne, Kerns, Kottel, Ross, Villa.
Total 17

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Cordier, French.
Total 2

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SB 266 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Barrett, Everett, Hawk, Himmelberger, Jayne, Jore, Kasten, Koopman, Mendenhall, Peterson, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 312 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Ankney.

Total 1

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, W. Jones.

Total 2

SB 354 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane,

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Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 29

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 365 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Callahan, Jayne, Jore, Koopman, Sinrud, Sonju, Witte, Mr. Speaker.
Total 8

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 370 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr.

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Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 374 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: None.
Total 0

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 414 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Ward.

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Total 1

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, O'Hara, Ripley.

Total 3

SB 422 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Erickson, Jayne.

Total 2

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 442 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 80

Noes: Ankney, Barrett, Beck, Blasdel, Heinert, Hilbert, Jore, Kasten, Koopman, Lange, Mendenhall, Milburn, Ripley, Sinrud, Sonju, Taylor, Vincent, Ward, Mr. Speaker.

Total 19

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

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Total 0

Absent or not voting: French.

Total 1

SB 443 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman, Ward.

Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 444 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jore, Ward, Mr. Speaker.

Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

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SB 478 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 489 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Furey, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Mr. Speaker.

Total 77

Noes: Barrett, Becker, Boggio, Caferro, Franklin, Gallik, Grinde, Jopek, Jore, Kasten, Koopman, Lake, Lange, Nooney, Peterson, Rice, Sinrud, Taylor, Villa, Ward, Wiseman, Witte.

Total 22

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 497 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange,

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Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Ripley, Ross, Sinrud, Stahl, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 34

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 505 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Malcolm, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Ward, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 518 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

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Total 92

Noes: Driscoll, Everett, Hawk, Jore, Mendenhall, Mr. Speaker.

Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: Ankney, French.

Total 2

SB 527 concurred in as follows:

Ayes: Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 79

Noes: Ankney, Arntzen, Augare, Barrett, Cordier, Everett, Hawk, Hendrick, Himmelberger, L. Jones, Jore, Koopman, Lange, Mendenhall, Milburn, Rice, Ripley, Ward, Wells, Mr. Speaker.

Total 20

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SJR 4 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Bergren, Jore, Koopman, McGillvray, Mendenhall, Musgrove, Villa.

Total 7

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Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SJR 25 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, L. Jones.

Total 2

SB 41 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Driscoll, Malcolm, Peterson.

Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

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Absent or not voting: French.
Total 1

SB 48 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 91

Noes: Hendrick, Jayne, Jore, Kasten, Koopman, Mendenhall, Peterson, Wells.
Total 8

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 89 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lange, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 77

Noes: Barrett, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lambert, MacLaren, Malcolm, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Sinrud, Stoker, Wells, Mr. Speaker.
Total 22

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 96 concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

Noes: Blasdel, Everett, Hawk, Ingraham, Jayne, Jore, Koopman, Lake, Lange, Ross, Sonju, Taylor.

Total 12

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 100 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Ankney, Butcher, Callahan, Campbell, Jayne, Jore, Koopman, Mendenhall.

Total 8

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 121 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove,

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Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Callahan, Cohenour, Erickson, Hamilton, Henry, Phillips, Pomnichowski, Raser.

Total 8

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 130 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Everett, Hawk, Jayne, Jore, Koopman, Mr. Speaker.

Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 133 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

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Noes: Becker, Jore, Koopman.
Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 147 concurred in as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 47

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 225 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Jore, Kasten, Koopman, Lambert, Mendenhall, Morgan, Wells.
Total 7

Voted Absentee: Clark, Windy Boy, Ayes.

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Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 227 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Ankney, Jore, Lake, Ross, Sinrud, Sonju.
Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 233 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Koopman, Lange, Mendenhall, Rice, Ripley, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 25

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Dutton, French.
Total 2

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SB 276 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Beck, Becker, Bergren, Franklin, Gallik, Kasten, Musgrove, Taylor.

Total 8

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, Vincent.

Total 2

SB 284 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Caferro, Callahan, Erickson, Everett, Franklin, Hawk, Hendrick, W. Jones, Jore, Stahl, Villa, Ward, Mr. Speaker.

Total 13

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 324 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Kasten, Koopman.

Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 363 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 384 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross,

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Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Ankney, Groesbeck, Hendrick, L. Jones, Jopek, Ward.

Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 419 concurred in as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Rice, Ripley, Sinrud, Sonju, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 31

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 424 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Ankney, Blasdel, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, Mendenhall, Milburn, Nooney, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

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Total 23

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 433 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Beck, Hilbert, Kasten, Lange, Nooney, Wells.

Total 6

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 449 concurred in as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 59

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Stahl, Stoker, Taylor, Vincent, Ward, Witte.

Total 40

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.

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Total 0

Absent or not voting: French.

Total 1

SB 486 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Everett, Hawk, Heinert, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Lake, Malcolm, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 491 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Morgan, Nooney, Ripley, Sinrud, Sonju, Stahl, Stoker, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, Parker.

Total 2

SB 492 concurred in as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Boggio, Jore, Kasten, Koopman, Mendenhall.

Total 5

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, McAlpin.

Total 2

SB 525 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman.

Total 2

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 538 concurred in as follows:

Ayes: Ankney, Arntzen, Beck, Bergren, Blasdel, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Jore, Kerns, Klock, Koopman, Kottel,

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Lambert, Lange, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Sands, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman.

Total 67

Noes: Augare, Barrett, Becker, Bixby, Boggio, Butcher, Callahan, Driscoll, Dutton, Groesbeck, Hawk, Heinert, Henry, Jayne, L. Jones, Kasten, Keane, Lake, MacLaren, Malcolm, Mendenhall, Nooney, Pomnichowski, Ripley, Ross, Sesso, Sinrud, Taylor, Van Dyk, Windy Boy, Witte, Mr. Speaker.

Total 32

Voted Absentee: Clark, Aye; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 547 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Caferro, Dickenson, Jayne, Musgrove.

Total 4

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French, W. Jones, Peterson.

Total 3

SJR 12 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 58

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert,

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Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Mr. Speaker.

Total 41

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 49, requiring a two-thirds vote of each House, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Jore, Koopman.

Total 3

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 342 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 76

Noes: Barrett, Becker, Boggio, Everett, Glaser, Hawk, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Ripley, Ross, Mr. Speaker.

Total 23

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Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

SB 379 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 94

Noes: Everett, Jayne, Kerns, Sinrud, Witte.

Total 5

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: French.

Total 1

HB 833 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Butcher, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Furey, Glaser, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 76

Noes: Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Erickson, Franklin, Gallik, Grinde, Hamilton, Henry, Hollenbaugh, Malcolm, Musgrove, Noonan, Phillips, Raser, Sinrud, Small-Eastman, Villa, Wiseman.

Total 23

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.

Total 0

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Absent or not voting: French.
Total 1

SB 291 concurred in as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Ankney, Barrett, Boggio, Campbell, Driscoll, Dutton, Musgrove, Rice, Van Dyk.
Total 9

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 404, requiring a two-thirds vote of each House, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Glaser, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Becker, Blasdel, Boggio, Butcher, Dutton, Everett, Gallik, Grinde, Hawk, Hilbert, Himmelberger, Jacobson, Jayne, Jore, Kasten, Kerns, McAlpin, Mendenhall, Musgrove, Peterson, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 27

Voted Absentee: Clark, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

SB 393 concurred in as follows:

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Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 57

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 42

Voted Absentee: Windy Boy, Aye; Clark, No.

Excused: None.
Total 0

Absent or not voting: French.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 5:00 p.m., Monday, April 9, 2007. Motion carried.

House adjourned at 6:15 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 9, 2007

House Chambers
State Capitol

House convened at 5:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Koopman. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Butcher, Representative Campbell, Representative Hands and Representative Beck. Quorum present.

Speaker Sales introduced the Heritage Christian Signers from Bozeman who performed two songs for the House using sign language.

Speaker Sales introduced the pages for the week:

Pages:	Brian Menahan, Colstrip
	Barbara Sutton, Bloomfield
	Cassandra Sutton, Bloomfield
	Faith Grover, Helena
	Philip Singer, Box Elder
	Sophia Romanic, Cascade
	Dan Miller, Billings
	Ashley Wilbert, Polson

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/4/2007

Correctly printed: **SB 158, SB 185, SB 376, SB 446.**

Correctly engrossed: **SB 391, SB 96, SB 547.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/5/2007

HB 36, introduced by Musgrove
HB 154, introduced by Clark
HB 328, introduced by Stahl
HB 353, introduced by McGillvray
HB 414, introduced by Reinhart
HB 459, introduced by Heinert
HB 520, introduced by Arntzen
HB 594, introduced by Stahl
HB 634, introduced by Van Dyk
HB 688, introduced by Olson
HB 729, introduced by Raser
HB 743, introduced by Clark
HB 744, introduced by Rice
HB 785, introduced by Lange
HB 283, introduced by Campbell
HB 291, introduced by Ross
HB 389, introduced by Barrett

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HB 690, introduced by Bergren
HB 771, introduced by W. Jones
HB 811, introduced by Wells
HB 319, introduced by Glaser
HB 428, introduced by Gallik
HB 630, introduced by Gallik
HB 636, introduced by Bixby
HB 641, introduced by Musgrove
HB 672, introduced by Glaser
HB 742, introduced by Raser
HB 768, introduced by Gallik

HB 584, introduced by Jopek, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, failed in the Senate and was returned to the House with the following vote:

4/9/2007

Yeas - 25
Nays - 25

HB 217 - The Senate failed to concur in **HB 217**, introduced by Lange, on second reading and the bill is herewith returned to the House.

Yeas - 25
Nays - 25

HB 650 - The Senate failed to concur in **HB 650**, introduced by Koopman, on third reading, and the bill is herewith returned to the House.

Yeas - 24
Nays - 26

The following House Bills/House Joint Resolutions were concurred in as amended and herewith returned to the House for concurrence in **Senate Amendments**:

HJR 39, introduced by Erickson
HJR 41, introduced by Furey
HB 25, introduced by Olson
HB 136, introduced by Milburn
HB 269, introduced by Rice
HB 362, introduced by Olson
HB 417, introduced by Hollenbaugh
HB 425, introduced by Sesso
HB 439, introduced by Koopman
HB 462, introduced by Sands
HB 522, introduced by Sinrud
HB 533, introduced by Ankney
HB 609, introduced by Hamilton
HB 727, introduced by Lange
HB 24, introduced by Klock
HB 272, introduced by L. Jones
HB 287, introduced by Wiseman

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HB 299, introduced by Milburn
HB 435, introduced by Parker
HB 460, introduced by Keane
HB 468, introduced by McGillvray
HB 608, introduced by Olson
HB 681, introduced by Driscoll
HB 687, introduced by W. Jones
HB 715, introduced by Olson
HB 781, introduced by Windy Boy
HB 415, introduced by Reinhart
HB 433, introduced by Wiseman
HB 487, introduced by Hiner
HB 706, introduced by Caferro
HB 765, introduced by Olson
HB 766, introduced by Sonju

House joint resolution concurred in and returned to the House:

4/5/2007

HJR 14, introduced by Heinert
HJR 19, introduced by Morgan
HJR 24, introduced by Hands
HJR 36, introduced by Lambert
HJR 38, introduced by Jore
HJR 40, introduced by Windy Boy
HJR 42, introduced by Wilmer
HJR 44, introduced by Gallik
HJR 5, introduced by Lange
HJR 34, introduced by Van Dyk

MESSAGES FROM THE GOVERNOR

April 9, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Sales:

Please be informed that I signed the following House Bills on the date indicated:

April 4, 2007:

House Bill 260 sponsored by Representative Reinhart

April 5, 2007:

House Bill 22 sponsored by Representative McAlpin
House Bill 64 sponsored by Representative Clark
House Bill 98 sponsored by Representative Franklin
House Bill 105 sponsored by Representative Windy Boy
House Bill 118 sponsored by Representative Henry

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House Bill 120 sponsored by Representative Henry
House Bill 124 sponsored by Representative French
House Bill 129 sponsored by Representative Gallik
House Bill 157 sponsored by Representative Caferro
House Bill 177 sponsored by Representative Boggio
House Bill 207 sponsored by Representative Ingraham
House Bill 284 sponsored by Representative Augare
House Bill 341 sponsored by Representative Gallik
House Bill 397 sponsored by Representative Ward
House Bill 400 sponsored by Representative Villa
House Bill 409 sponsored by Representative Sinrud
House Bill 412 sponsored by Representative Ebinger
House Bill 497 sponsored by Representative Pomnichowski
House Bill 503 sponsored by Representative Gallik
House Bill 510 sponsored by Representative Stahl
House Bill 521 sponsored by Representative Arntzen
House Bill 555 sponsored by Representative Grinde
House Bill 570 sponsored by Representative Cohenour
House Bill 579 sponsored by Representative Olson
House Bill 596 sponsored by Representative Sands
House Bill 703 sponsored by Representative Ripley
House Bill 717 sponsored by Representative Stahl
House Bill 724 sponsored by Representative Furey
House Bill 770 sponsored by Representative Pomnichowski
House Bill 795 sponsored by Representative Hands

Ann Brodsky of my staff also returned **HB 469**, along with a Veto message, to the Chief Clerk of the House, Marilyn Miller, at 3:30 PM on Friday, April 6th, 2007.

Sincerely,

BRIAN SCHWEITZER
Governor

April 6, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 469, "AN ACT CLARIFYING THAT PROPERTY OWNED BY COMMERCIAL

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MOBILE RADIO SERVICE PROVIDERS IS TAXED AS CLASS FOUR COMMERCIAL PROPERTY AND CLASS EIGHT PERSONAL PROPERTY; CLARIFYING THAT PROPERTY OWNED BY COMMERCIAL MOBILE RADIO SERVICE PROVIDERS MAY NOT BE CENTRALLY ASSESSED FOR PROPERTY TAX PURPOSES; AMENDING SECTIONS 15-1-402, 15-6-138, 15-6-156, AND 15-23-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HB 469 purports to "clarify" existing Montana law regarding, first, the property tax classification of wireless phone company property and, second, the method of assessment of this wireless property. HB 469 does not, as its title suggests, "clarify" existing Montana law. Rather, under the guise of "clarifying" existing law, HB 469 would actually *reverse* existing law and codify the improper practices of past Administrations, which failed to correctly implement Montana's tax codes as enacted by the Legislature.

Specifically, HB 469 claims to "clarify" existing Montana law by exempting wireless phone company property from the current statute defining property that is centrally assessed. See section 4 of the bill, amending Mont. Code Ann. § 15-23-101. Contrary to its title, HB 469 does not "clarify" the valuation method to be used for assessing wireless phone company property. Rather, HB 469 carves out an exception to the current law, specifically and expressly for wireless phone company property (as defined in the bill, "property owned by commercial mobile radio service providers").

Likewise, with regard to the property tax classification of wireless property, rather than "clarifying" current law, HB 469 would amend the current legislative classification of "centrally assessed telecommunications service companies" as class thirteen property to carve out an exception specifically and expressly for wireless phone company property. See section 3 of the bill, amending Mont. Code Ann. § 15-6-156.

The title to HB 469 represents the bill as "clarifying" current law regarding taxation of property owned by commercial mobile radio service providers. However, current law already speaks clearly for itself. Indeed, the Department of Revenue's legal conclusion was confirmed by your own Legislative Auditor, who advised both the Legislature and the department that Montana statutes require the central assessment of wireless phone company property.

Rather than "clarifying" current law, HB 469 ratifies the unlawful practice of prior Administrations, which failed to properly implement the tax laws enacted by the Legislature. As concluded by the Legislative Auditor, it was a mistake for past Administrations to grant millions of dollars of tax breaks to wireless telephone companies, contrary to Montana statutes and at the expense of homeowners, farmers, ranchers, and other businesses. HB 469 ratifies the past unlawful practice and rewards past mistakes. However, let me be clear. HB 469 does not "clarify" current law. HB 469 changes it.

As a final addendum, I unfortunately must also let you know that this past practice has created financial risks for local governments and schools. It is likely no coincidence that on the day after HB 469 was transmitted to my office, Montana's largest telecommunications company filed a constitutional complaint to the tax methods endorsed by this bill. That challenge is based on a claim of discrimination due to the more favorable treatment of wireless phone company property as compared to traditional landline telephone property under the practice adopted by past Administrations. HB 469 thus attempts to engrave into Montana statutes what has been alleged as a constitutional discrimination claim in a formal legal proceeding.

Montana needs to value and tax comparable property equally. HB 469 is bad policy, bad precedent, and both legally and financially risky to Montana taxpayers. The bill title, itself, is at best misleading. For these multiple reasons, I veto HB 469.

Sincerely,

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BRIAN SCHWEITZER
Governor

April 5, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments Senate Bill 168, "AN ACT REVISING THE MANDATORY CASH PAYMENT FOR VACATION LEAVE UPON TERMINATION; CLARIFYING THE USE OF VACATION LEAVE PAYMENTS UPON TERMINATION AS PERMISSIBLE CONTRIBUTIONS FOR A VOLUNTARY EMPLOYEES' BENEFICIARY ASSOCIATION; AMENDING SECTIONS 2-18-601, 2-18-617, AND 2-18-1311, MCA; AND PROVIDING AN EFFECTIVE DATE. My proposed amendment clarifies that for an employee who is a member of a Voluntary Employee's Benefit Association (VEBA) if unused annual leave is a contribution source for their account, upon separation from service the annual leave may only be donated to their account and not paid out in cash.

Senate Bill 168 authorizes the addition of annual leave to a VEBA account. My proposed amendment clarifies that an employee may not receive a cash out of their annual leave and a contribution to their VEBA account upon termination. If an employee is not a member of a VEBA, they will still receive a cash out of their unused leave.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Amendments to Senate Bill No. 168
Reference Copy
Requested by the Governor
For the Senate Committee of the Whole
Prepared by Greg Petesch
May 4, 2007 (9:33am)

1. Page 3, line 25.

Following: "~~2-18-611~~"

Insert: "if the employee is not subject to subsection (2)(b)"

- END -

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FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:
HJR 57, introduced by Jopek, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Augare in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 26 - Senate amendments - Representative McGillvray moved Senate amendments to **HB 26**, be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wells, Wilmer, Windy Boy, Wiseman.
Total 72

Noes: Blasdel, Caferro, Everett, Franklin, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Lange, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wilson, Witte.
Total 26

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.
Total 1

Absent or not voting: Mr. Speaker.
Total 1

HB 83 - Senate amendments - Representative Hiner moved Senate amendments to **HB 83**, be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte.
Total 92

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Noes: Caferro, Erickson, Jayne, Sinrud, Sonju, Wilmer, Mr. Speaker.
Total 7

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.
Total 1

Absent or not voting: None.
Total 0

HB 117 - Senate amendments - Representative Henry moved Senate amendments to **HB 117**, be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Barrett, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Nooney, Peterson, Ripley, Ross, Stoker, Ward, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.
Total 1

Absent or not voting: None.
Total 0

HB 153 - Senate amendments - Representative Jacobson moved Senate amendments to **HB 153**, be concurred in.
Motion carried as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 51

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Witte, Mr. Speaker.
Total 48

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Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

Absent or not voting: None.

Total 0

HB 235 -Senate amendments - Representative Dutton moved Senate amendments to **HB 235**, be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Blasdel, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Ripley, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

Absent or not voting: None.

Total 0

HB 300 - Senate amendments - Representative Milburn moved Senate amendments to **HB 300**, be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 89

Noes: Franklin, Furey, Gallik, Henry, Himmelberger, Jayne, McGillvray, Sinrud, Sonju.

Total 9

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

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Total 1

Absent or not voting: Witte.

Total 1

HB 310 -Senate amendments - Representative Dutton moved Senate amendments to **HB 310**, be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Becker, Jayne.

Total 2

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

Absent or not voting: None

Total 0

HB 361 - Senate amendments - Representative Kottel moved Senate amendments to **HB 361**, be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Boggio, Dutton, Kasten, Wilmer.

Total 4

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

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Absent or not voting: Sonju.
Total 1

HB 364 - Senate amendments - Representative Malcolm moved Senate amendments to **HB 364**, be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Beck, Bergren, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 57

Noes: Arntzen, Barrett, Becker, Bixby, Blasdel, Boggio, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Rice, Ripley, Sands, Sesso, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Mr. Speaker.
Total 42

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.
Total 1

Absent or not voting: None.
Total 0

HB 450 - Senate amendments - Representative Pomnichowski moved Senate amendments to **HB 450**, be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 92

Noes: Ankney, Boggio, Jore, Koopman, Mendenhall, Peterson, Mr. Speaker.
Total 7

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.
Total 1

Absent or not voting: None.
Total 0

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HB 452 - Senate amendments - Representative Kottel moved Senate amendments to **HB 452**, be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Boggio, Jore, Kasten, Koopman.

Total 4

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

Absent or not voting: Malcolm, Milburn.

Total 2

HB 456 - Senate amendments - Representative McNutt moved the Senate amendments to **HB 456** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Voted Absentee: Beck, Campbell, Hands, Ayes.

Excused: Butcher.

Total 1

Absent or not voting: Sinrud.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Augare moved the Committee of the Whole report be adopted.

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Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Jore, Koopman, Sonju.

Total 3

Excused: Beck, Butcher, Campbell, Hands.

Total 4

Absent or not voting: L. Jones, Raser, Rice, Small-Eastman.

Total 4

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, April 10, 2007. Motion carried.

House adjourned at 5:50 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 10, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Small-Eastman, Representative Beck and Representative Windy Boy, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Mendenhall, Chairman):
SB 184, be concurred in. Report adopted.

4/10/2007

MESSAGES FROM THE GOVERNOR

April 10, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 259, "AN ACT DEFINING TERMS; RESTRICTING THE USE AND LOCATION OF GRAY WATER REUSE SYSTEMS; DIRECTING THE BOARD OF ENVIRONMENTAL REVIEW TO CREATE RULES REGULATING RESIDENTIAL GRAY WATER REUSE SYSTEMS; AMENDING SECTION 75-5-305, MCA; AND PROVIDING AN APPLICABILITY CLAUSE."

House Bill 259 creates a regulatory system for wastewater treatment of "gray water," which is reusable, separate from other wastewaters. As drafted, the definitions in section 1 of the bill do not apply to section 3 of the bill, even though the terms defined in section 1 are used in section 3. My proposed amendment, a copy of which is attached, simply clarifies what appears to have been an oversight in drafting.

I have discussed my proposed amendment with the sponsor of the bill, Representative Reinhart, who has expressed her support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 259
Reference Copy

Requested by the Governor
For the House Committee of the Whole

Prepared by Greg Petesch
May 4, 2007 (9:33am)

1. Page 1, line 11.

Strike: "[sections" through "4]"

Insert: "this part"

- END -

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hilbert in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 24 - Senate Amendments - Representative Klock moved Senate amendments to **HB 24** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 57

Noes: Augare, Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 43

Voted Absentee: Beck, Aye; Small-Eastman, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 608 - Representative Hilbert moved consideration of **HB 608** be placed at the bottom of the second reading board. Motion carried.

HB 668 - Senate amendments - Representative Stahl moved **HB 668**, as amended, be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilson, Wiseman, Witte, Mr. Speaker.
Total 86

Noes: Cohenour, Driscoll, Erickson, Franklin, French, Gallik, Hands, Henry, Hilbert, McAlpin, Small-Eastman, Villa, Wilmer, Windy Boy.
Total 14

Voted Absentee: Beck, Aye; Small-Eastman, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 715 - Representative Hilbert moved consideration of **HB 715** be placed at the bottom of the second reading board. Motion carried.

HB 766 - Senate amendments - Representative Sonju moved **HB 766**, as amended, be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.
Total 66

Noes: Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jopek, McAlpin, Noonan, Parker, Phillips, Pomnichowski, Raser, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy.
Total 34

Voted Absentee: Beck, Aye; Small-Eastman, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 25 - Representative Hilbert moved consideration of **HB 25** be placed at the bottom of the second reading board.

Motion carried.

HB 272 - Senate Amendments - Representative L. Jones moved Senate amendments to **HB 272** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 96

Noes: Caferro, Jayne, Witte.
Total 3

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: Phillips.
Total 1

HB 287 - Senate Amendments - Representative Wiseman moved Senate amendments to **HB 287** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 82

Noes: Barrett, Blasdel, Everett, Heinert, Hendrick, Jore, Kasten, Kerns, Klock, Koopman, McGillvray, Mendenhall, Olson, Rice, Sinrud, Wells, Witte, Mr. Speaker.
Total 18

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 415 - Senate Amendments - Representative Reinhart moved Senate amendments to **HB 415** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 79

Noes: Arntzen, Blasdel, Clark, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Koopman, Morgan, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 433 - Senate Amendments - Representative Wiseman moved Senate amendments to **HB 433** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Butcher, Koopman, Malcolm, Mendenhall, Vincent.
Total 5

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 435 - Senate Amendments - Representative Parker moved Senate amendments to **HB 435** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Jayne.
Total 1

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 460 - Senate Amendments - Representative Keane moved Senate amendments to **HB 460** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Koopman.
Total 1

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 467 - Senate Amendments - Representative Peterson moved Senate amendments to **HB 467** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan,

Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Augare, Becker, Bergren, Caferro, French, Koopman, Kottel.

Total 7

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 468 - Senate Amendments - Representative McGillvray moved Senate amendments to **HB 468** be concurred in. Motion carried as follows:

Ayes: Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, French, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Pomnichowski, Reinhart, Rice, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Villa, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 56

Noes: Ankney, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Driscoll, Everett, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Lake, Lambert, McChesney, Mendenhall, Musgrove, Noonan, Parker, Peterson, Phillips, Raser, Ripley, Ross, Sands, Sesso, Stahl, Van Dyk, Vincent, Wilmer, Wilson.

Total 44

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 487 - Senate Amendments - Representative Hiner moved Senate amendments to **HB 487** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Barrett, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Himmelberger, Ingraham, Jore, Koopman, Lake,

Lambert, Lange, MacLaren, Malcolm, Mendenhall, Nooney, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 496 - Senate Amendments - Representative French moved Senate amendments to **HB 496** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 524 - Senate Amendments - Representative Hamilton moved Senate amendments to **HB 524** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Koopman, Malcolm, McGillvray, Mendenhall, Peterson, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 537 - Senate Amendments - Representative Ripley moved Senate amendments to **HB 537** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Caferro, Erickson, Gallik, Jopek, Kerns, Villa.

Total 6

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 633 - Senate Amendments - Representative Dutton moved Senate amendments to **HB 633** be concurred in. Motion carried as follows:

Ayes: Arntzen, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Ankney, Augare, Bergren, Himmelberger, Jayne, W. Jones, Lambert, Windy Boy.

Total 8

Voted Absentee: Beck, Small-Eastman, Ayes; Windy Boy, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 681 - Senate Amendments - Representative Driscoll moved Senate amendments to **HB 681** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 94

Noes: Jore, Koopman, McGillvray, Sinrud, Witte, Mr. Speaker.

Total 6

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 608 - Senate Amendments - Representative Olson moved Senate amendments to **HB 608** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 84

Noes: Augare, Bixby, Caferro, Callahan, Dickenson, Furey, Gallik, Hamilton, Hands, Hollenbaugh, Jayne, Kottel, Musgrove, Pomnichowski, Raser, Wiseman.

Total 16

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 715 - Senate Amendments - Representative Olson moved Senate amendments to **HB 715** be **NOT** concurred

in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Grinde, Groesbeck, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.
Total 74

Noes: Bixby, Caferro, Callahan, Cohenour, Erickson, Franklin, Furey, Gallik, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Windy Boy, Wiseman.
Total 25

Voted Absentee: Beck, Aye; Small-Eastman, Windy Boy, Noes.

Excused: None.
Total 0

Absent or not voting: Bergren.
Total 1

HB 25 - Senate Amendments - Representative Olson moved Senate amendments to **HB 25** be concurred in. Motion **failed** as follows:

Ayes: Beck, Bergren, Bixby, Caferro, Campbell, Clark, Cohenour, Cordier, Ebinger, Erickson, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Klock, McAlpin, McChesney, McNutt, Mendenhall, Musgrove, Noonan, Olson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman.
Total 46

Noes: Ankney, Arntzen, Augare, Barrett, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Dickenson, Driscoll, Dutton, Everett, Franklin, Gallik, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Milburn, Morgan, Nooney, O'Hara, Parker, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Wells, Wilson, Witte, Mr. Speaker.
Total 54

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hilbert moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Blasdel, Boggio, Butcher, Callahan, Campbell, Clark, Dickenson,

Driscoll, Dutton, Ebinger, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 74

Noes: Bergren, Bixby, Caferro, Cohenour, Cordier, Erickson, Furey, Gallik, Jayne, Keane, Koopman, Musgrove, Raser, Reinhart, Van Dyk, Villa, Ward, Wiseman.

Total 18

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: Branae, Himmelberger, Hiner, Stahl, Thomas.

Total 5

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 26 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sonju, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wiseman, Witte.

Total 76

Noes: Blasdel, Everett, Franklin, Hawk, Heinert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Mendenhall, Ripley, Sinrud, Stahl, Wilson, Mr. Speaker.

Total 18

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: L. Jones, Stoker, Ward.

Total 3

HB 83 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas,

Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Erickson, Jayne.
Total 2

Excused: Beck, Small-Eastman, Windy Boy.
Total 3

Absent or not voting: None.
Total 0

HB 117 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.
Total 80

Noes: Barrett, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Peterson, Ripley, Ross, Wells, Witte, Mr. Speaker.
Total 17

Excused: Beck, Small-Eastman, Windy Boy.
Total 3

Absent or not voting: None.
Total 0

HB 153 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 86

Noes: Boggio, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Sinrud, Ward.
Total 11

Excused: Beck, Small-Eastman, Windy Boy.
Total 3

Absent or not voting: None.
Total 0

HB 235 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 75

Noes: Barrett, Bergren, Blasdel, Everett, Gallik, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 300 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 85

Noes: Bergren, Caferro, Furey, Gallik, Henry, Himmelberger, Jayne, W. Jones, McGillvray, Musgrove, Sonju, Van Dyk.

Total 12

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 310 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Becker, Jayne, Jore.

Total 3

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 361 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Boggio, Dutton, Kasten, Mendenhall, Ripley, Wilmer.

Total 6

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 364 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 75

Noes: Becker, Blasdel, Boggio, Campbell, Dutton, Everett, Hawk, Hendrick, Ingraham, Jopek, Jore, Kasten, Koopman, MacLaren, Milburn, Morgan, Musgrove, Sands, Sinrud, Sonju, Wells, Mr. Speaker.

Total 22

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 450 passed as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman.

Total 84

Noes: Ankney, Boggio, Butcher, Jore, Kasten, Koopman, Lange, Mendenhall, Musgrove, Peterson, Stahl, Witte, Mr. Speaker.

Total 13

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: None.

Total 0

HB 452 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte.

Total 88

Noes: Boggio, Jore, Kasten, Koopman, Parker, Ripley, Wilson, Mr. Speaker.

Total 8

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: Hands.

Total 1

HB 456 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Jore.

Total 1

Excused: Beck, Small-Eastman, Windy Boy.

Total 3

Absent or not voting: Everett.

Total 1

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hilbert in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 127 - Representative Mendenhall moved **SB 127** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Hendrick, W. Jones, Koopman, McGillvray, Peterson, Rice, Wells.

Total 7

Voted Absentee: Beck, Aye.

Excused: Small-Eastman, Windy Boy.

Total 2

Absent or not voting: Himmelberger, Malcolm, McNutt.

Total 3

SB 302 - Representative Sonju moved **SB 302** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Reinhart, Rice, Sands, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Mr. Speaker.

Total 76

Noes: Becker, Boggio, Cordier, Dickenson, Everett, Franklin, Hawk, Ingraham, W. Jones, Jore, Kasten, Mendenhall, Parker, Pomnichowski, Ripley, Ross, Sinrud, Taylor, Van Dyk, Wilson, Witte.

Total 21

Voted Absentee: Beck, Aye.

Excused: Small-Eastman, Windy Boy.

Total 2

Absent or not voting: Sesso.

Total 1

SB 335 - Representative Butcher moved **SB 335** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Franklin, Groesbeck, Jore, Kasten, Mendenhall, Sinrud, Wells.

Total 7

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 406 - Representative Stahl moved **SB 406** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Callahan, Cohenour, Dickenson, Erickson, Grinde, Hands, Jayne, Jore, Koopman, McAlpin, Mendenhall, Musgrove, Reinhart, Witte.

Total 14

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 524 - Representative Mendenhall moved consideration of **SB 524** be passed for the day. Motion carried.

SJR 7 - Representative Raser moved **SJR 7** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 71

Noes: Blasdel, Boggio, Butcher, Caferro, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Nooney, Peterson, Rice, Ripley, Stoker, Taylor, Vincent, Ward, Wells, Mr. Speaker.
Total 29

Voted Absentee: Beck, Small-Eastman, Windy Boy, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hilbert moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Franklin, Gallik, Jayne, Jore, Koopman, Mendenhall, Ripley.
Total 7

Excused: Beck, Small-Eastman, Windy Boy.
Total 3

Absent or not voting: Erickson, Hilbert, Peterson, Rice, Sesso.
Total 5

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 24**, by Representative Klock: Revise Laws Relating to Carbon Dioxide Used for Energy Purposes.

The Speaker appointed the following members:

Representative Klock
Representative Groesbeck
Representative Rice

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 608**, by Representative Olson: Transfer General Fund to Children's Trust Fund.

The Speaker appointed the following members:

Representative Olson
Representative Wells
Representative Jayne

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 668**, by Representative Stahl: Revise Criminal Justice Agency Status of Licensing Boards.

The Speaker appointed the following members:

Representative Stahl
Representative Everett
Representative Kottel

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 715**, by Representative Olson: Support Research and Development of Energy Sources.

The Speaker appointed the following members:

Representative Olson
Representative Himmelberger
Representative Driscoll

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 766**, by Representative Sonju: Revise

Insure Montana Law regarding Employer size and Association Health Plans.

The Speaker appointed the following members:

Representative Sonju
Representative Mendenhall
Representative Keane

There being no objections, so ordered.

Majority Leader Lange moved that **SB 127**, introduced by Senator Wanzenried, be re-referred to the Committee on Appropriations. There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, April 11, 2007. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
April 11, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Small Eastman. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the sixty-eighth, sixty-ninth, and seventieth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

Signed by the Chief Clerk at 4:10 p.m. on 4/9/07: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782, HJR 22, HJR 26, HJR 33.**

Correctly printed: **SB 184.** 4/10/2007

Correctly enrolled: **HB 154, HB 283, HB 291, HB 319, HB 328, HB 414, HB 428, HB 459, HB 594, HB 630, HB 636, HB 641, HB 690, HB 729, HJR 5, HJR 14, HJR 19, HJR 24, HJR 34, HJR 36, HJR 38, HJR 40.**

Examined by the sponsor and found to be correct: **HB 291, HB 459, HB 636, HB 690, HB 729, HJR 14, HJR 36, HJR 38, HJR 40, HB 641, HJR 5, HJR 34.**

Correctly enrolled: **HB 36, HB 353, HB 389, HB 520, HB 634, HB 672, HB 688, HB 742, HB 743, HB 744, HB 768, HB 771, HB 785, HB 811, HJR 42, HJR 44.** 4/11/2007

Examined by the sponsor and found to be correct: **HB 36, HB 520, HB 634, HB 688, HB 771, HB 154, HB 389, HB 672, HB 742, HB 743, HB 744, HB 785, HJR 19.**

Signed by the Speaker at 10:00 a.m. on 4/11/07: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782, HJR 22, HJR 26, HJR 33.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/11/2007

HB 19, introduced by McNutt

HB 77, introduced by Clark

HB 540, introduced by Groesbeck

HB 583, introduced by Jopek

HB 778, introduced by Stahl

House joint resolution concurred in and returned to the House: 4/11/2007

HJR 45, introduced by Thomas

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 4/11/2007

HB 139, introduced by Branae

House amendments to Senate bills concurred in: 4/11/2007

SB 50, introduced by Gallus

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SB 95, introduced by Smith
SB 102, introduced by Lind
SB 145, introduced by Shockley

SB 175, introduced by Squires
SB 214, introduced by Lewis
SB 225, introduced by Moss
SB 269, introduced by Larson
SB 289, introduced by Gallus
SB 339, introduced by Murphy
SB 369, introduced by Smith

SB 118 - The Senate failed to concur in House amendments to **SB 118**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 118**:

4/11/2007

Senator Cobb, Chair
Senator Wanzenried
Senator Laslovich

MESSAGES FROM THE GOVERNOR

April 10, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

Today, April 10th, 2007, I signed the following bills and delivered them to the Secretary of State:

House Bill 37 sponsored by Representative Reinhart
House Bill 57 sponsored by Representative Franklin
House Bill 91 sponsored by Representative Clark
House Bill 112 sponsored by Representative Arntzen
House Bill 166 sponsored by Representative Raser
House Bill 198 sponsored by Representative W. Jones
House Bill 206 sponsored by Representative Ingraham
House Bill 253 sponsored by Representative Ross
House Bill 265 sponsored by Representative Ebinger
House Bill 363 sponsored by Representative Ward
House Bill 427 sponsored by Representative Bergren
House Bill 437 sponsored by Representative Gallik
House Bill 532 sponsored by Representative Jacobson
House Bill 756 sponsored by Representative L. Jones
House Bill 769 sponsored by Representative Lake
House Bill 786 sponsored by Representative Blasdel
House Bill 789 sponsored by Representative Campbell

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House Bill 803 sponsored by Representative Himmelberger

Today, I also returned to the Chief Clerk of the House, **HB 259**, introduced by Representative Reinhart, along with an Amendatory Veto.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolutions were introduced, read first time, and referred to committee:

HJR 58, introduced by Milburn, referred to Fish, Wildlife and Parks.

HJR 59, introduced by Himmelberger, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Nooney in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 524 - Representative Mendenhall moved **SB 524** be concurred in.

SB 524 - Representative Himmelberger moved **SB 524**, second reading copy, be amended as follows:

1. Page 2, lines 2 through 7.

Strike: "licensed" on page 2, line 2 through "year" on page 2, line 7

Insert: "any retail licensees who are entitled to purchase beer from a brewer under this code"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 86

Noes: Callahan, Dickenson, Erickson, Henry, Jopek, McAlpin, Noonan, Pomnichowski, Raser, Sands, Sesso, Thomas, Windy Boy, Wiseman.

Total 14

Voted Absentee: Small-Eastman, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 524 - The motion that **SB 524**, as amended, be concurred in carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 94

Noes: Koopman, McGillvray, Sinrud, Windy Boy, Mr. Speaker.

Total 5

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: Bergren.

Total 1

SJR 15 - Representative Keane moved **SJR 15** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Blasdel, Everett, Hawk, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 357 - Governor's Amendments - Representative Cohenour moved Governor's amendments to **HB 357** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Boggio, Everett, Hilbert, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Mr. Speaker.

Total 9

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 533 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 533** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 64

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Thomas, Van Dyk, Wilmer, Wilson, Wiseman.

Total 36

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 369 - Senate Amendments - Representative Pomnichowski moved Senate amendments to **HB 369** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 87

Noes: Beck, Blasdel, Boggio, Hendrick, Hilbert, Himmelberger, Kasten, McGillvray, Peterson, Sinrud, Sonju, Witte, Mr. Speaker.

Total 13

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 514 - Senate Amendments - Representative Caferro moved Senate amendments to **HB 514** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 526 - Senate Amendments - Representative Groesbeck moved Senate amendments to **HB 526** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 - Senate Amendments - Representative Hamilton moved Senate amendments to **HB 609** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Boggio, Kasten, Mendenhall.

Total 3

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 683 - Senate Amendments - Representative Reinhart moved Senate amendments to **HB 683** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns,

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Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 92

Noes: Beck, Jore, Koopman, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 8

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 687 - Senate Amendments - Representative W. Jones moved Senate amendments to **HB 687** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Gallik, Groesbeck, Jore, Noonan.

Total 4

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 706 - Senate Amendments - Representative Caferro moved Senate amendments to **HB 706** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer,

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Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 91

Noes: Barrett, Everett, Hawk, Kasten, Lake, Malcolm, McGillvray, Rice, Ward.
Total 9

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 737 - Senate Amendments - Representative Hilbert moved Senate amendments to **HB 737** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jayne, Kasten.
Total 2

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: Sinrud.
Total 1

HB 738 - Senate Amendments - Representative Mendenhall moved Senate amendments to **HB 738** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

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Noes: Callahan, Jayne, Jore, Koopman.
Total 4

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 755 - Senate Amendments - Representative Keane moved Senate amendments to **HB 755** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Dickenson, Dutton, Jayne, Musgrove, Raser, Rice.
Total 6

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 759 - Senate Amendments - Representative Hendrick moved Senate amendments to **HB 759** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 97

Noes: Jore, Koopman, Mr. Speaker.
Total 3

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Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 764 - Senate Amendments - Representative Milburn moved Senate amendments to **HB 764** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 765 - Senate Amendments - Representative Olson moved Senate amendments to **HB 765** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Beck, Blasdel, Everett, Jore, Kasten, Koopman, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 11

Voted Absentee: Small-Eastman, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 781 - Senate Amendments - Representative Windy Boy moved Senate amendments to **HB 781** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Boggio, Clark, Ebinger, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, O'Hara, Sinrud, Stoker, Wells, Witte, Mr. Speaker.
Total 24

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: Butcher, Erickson, McChesney.
Total 3

HJR 16 - Senate Amendments - Representative Ripley moved Senate amendments to **HJR 16** be concurred in.
Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Gallik, Jayne, Jore, Koopman, Stoker.
Total 5

Voted Absentee: Small-Eastman, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HJR 39 - Senate Amendments - Representative Erickson moved Senate amendments to **HJR 39** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Everett, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kerns, Koopman, Lake, Mendenhall, Rice, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 24

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 41 - Senate Amendments - Representative Furey moved Senate amendments to **HJR 41** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman, Mendenhall, Stoker.

Total 4

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 136 - Senate Amendments - Representative Milburn moved Senate amendments to **HB 136** be concurred in.

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Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 269 - Senate Amendments - Representative Rice moved Senate amendments to **HB 269** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman, Windy Boy.

Total 3

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: Campbell.

Total 1

HB 299 - Senate Amendments - Representative Milburn moved Senate amendments to **HB 299** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 62

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Sands, Small-Eastman, Van Dyk, Villa, Windy Boy, Wiseman.

Total 36

Voted Absentee: Small-Eastman, No.

Excused: None.

Total 0

Absent or not voting: Butcher, O'Hara.

Total 2

HB 425 - Senate Amendments - Representative Sesso moved Senate amendments to **HB 425** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 66

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Ingraham, Kasten, Kerns, Lake, Lange, MacLaren, Malcolm, Mendenhall, Milburn, O'Hara, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 34

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Senate Amendments - Representative Sands moved Senate amendments to **HB 462** be concurred in. Motion **failed** as follows:

Ayes: Bergren, Branae, Caferro, Callahan, Dickenson, Erickson, Franklin, Gallik, Hands, Hollenbaugh, Jacobson, W. Jones, Jopek, McAlpin, Parker, Reinhart, Small-Eastman, Stoker, Villa, Wiseman.

Total 20

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Noes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 80

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 727 - Senate Amendments - Representative Lange moved Senate amendments to **HB 727** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

Noes: Caferro, Callahan, Cohenour, Furey, Gallik, Henry, Jayne, Jore, Raser, Mr. Speaker.

Total 10

Voted Absentee: Small-Eastman, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Nooney moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross,

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Sands, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Jore, Koopman.

Total 2

Excused: Small-Eastman.

Total 1

Absent or not voting: Beck, Mendenhall, Nooney, Ripley, Sinrud, Sonju.

Total 6

REPORTS OF STANDING COMMITTEES

Examined by the sponsor and found to be correct: **HB 283, HB 319, HB 328, HB 414, HB 428, HB 594, HB 630, HJR 24.** 4/10/2007

Examined by the sponsor and found to be correct: **HB 353, HB 768, HB 811, HJR 42, HJR 44.** 4/11/2007

TAXATION (Lake, Chairman): 4/11/2007

SB 281, be concurred in. Report adopted.

SB 552, be concurred in. Report adopted.

SB 553, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 272 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Caferro, Jayne, Jore, Koopman.

Total 4

Excused: Small-Eastman.

Total 1

Absent or not voting: Van Dyk.

Total 1

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HB 287 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

Total 0

Excused: Small-Eastman.

Total 1

Absent or not voting: Van Dyk.

Total 1

HB 415 passed as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, O'Hara, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 40

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 433 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Koopman, Malcolm.

Total 2

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 435 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jayne.

Total 1

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 460 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Dickenson, Jayne, Koopman, Phillips.

Total 4

Excused: Small-Eastman.

Total 1

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Absent or not voting: None.
Total 0

HB 467 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Becker, Bergren, Caferro, Cohenour, French, Kottel.
Total 6

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

HB 468 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Glaser, Groesbeck, Hands, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wiseman, Witte, Mr. Speaker.
Total 70

Noes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Everett, Franklin, Furey, Gallik, Grinde, Hamilton, Hawk, Henry, Hilbert, Hollenbaugh, Jayne, Keane, Lambert, Mendenhall, Musgrove, Parker, Peterson, Raser, Ripley, Wells, Wilmer, Wilson, Windy Boy.
Total 29

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

HB 487 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lange, McAlpin, McChesney, McGillvray, McNutt,

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Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Himmelberger, Ingraham, Jore, Koopman, Lake, Lambert, MacLaren, Malcolm, Mendenhall, Nooney, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 22

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 496 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Sinrud.

Total 1

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

HB 524 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 74

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Himmelberger, Jore, Kasten, Lake, Malcolm, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 24

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Excused: Small-Eastman.
Total 1

Absent or not voting: Vincent.
Total 1

HB 537 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Erickson, Gallik, Hands, Jore, Kerns, Mendenhall, Villa.
Total 7

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

HB 633 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Augare, Bergren, Campbell, Hilbert, Himmelberger, Jayne, W. Jones, Musgrove, Ripley, Sinrud, Stoker, Windy Boy.
Total 12

Excused: Small-Eastman.
Total 1

Absent or not voting: Beck, Sonju.
Total 2

HB 681 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 90

Noes: Everett, Jore, Koopman, Mendenhall, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 9

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

SB 302 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Branae, Butcher, Campbell, Clark, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Jacobson, Jayne, L. Jones, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Sands, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Mr. Speaker.

Total 73

Noes: Becker, Blasdel, Boggio, Caferro, Callahan, Cohenour, Cordier, Franklin, Groesbeck, Hawk, Heinert, Hendrick, Hiner, Hollenbaugh, Ingraham, W. Jones, Jopek, Kasten, Pomnichowski, Raser, Ross, Sesso, Sinrud, Taylor, Windy Boy, Witte.

Total 26

Excused: Small-Eastman.

Total 1

Absent or not voting: None.

Total 0

SB 335 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

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Noes: Bergren, Jore, Kasten, Koopman, Mendenhall, Musgrove, Sinrud, Wells, Mr. Speaker.
Total 9

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

SB 406 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Rice, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 82

Noes: Bergren, Callahan, Campbell, Cohenour, Dickenson, Franklin, Grinde, Jayne, Jore, Koopman, McAlpin, Mendenhall, Musgrove, Raser, Reinhart, Ripley, Windy Boy.
Total 17

Excused: Small-Eastman.
Total 1

Absent or not voting: None.
Total 0

SJR 7 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 67

Noes: Barrett, Blasdel, Boggio, Butcher, Caferro, Dutton, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, Mendenhall, Milburn, Nooney, Peterson, Rice, Ripley, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Mr. Speaker.
Total 31

Excused: Small-Eastman.
Total 1

Absent or not voting: McGillvray.
Total 1

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MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 462**, by Representative Sands.

The Speaker appointed the following members:

Representative Sands
Representative Sinrud
Representative Ward

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 533**, by Representative Ankney.

The Speaker appointed the following members:

Representative Ankney
Representative Lake
Representative Windy Boy

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 687**, by Representative W. Jones.

The Speaker appointed the following members:

Representative W. Jones
Representative McGillvray
Representative Campbell

There being no objections, so ordered.

Representative Ward moved to take **SB 142** from the table in Judiciary, be printed and placed on second reading. The motion **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 41

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Excused: Small-Eastman.
Total 1

Absent or not voting: MacLaren.
Total 1

Representative Groesbeck moved to reconsider actions taken on **Senate amendments to HB 25** and that it be placed on second reading. The motion **failed** as follows:

Ayes: Becker, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Ebinger, Erickson, French, Furey, Grinde, Groesbeck, Hamilton, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Stoker, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman.
Total 48

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Callahan, Dickenson, Dutton, Everett, Franklin, Gallik, Glaser, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Parker, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Wells, Wilson, Witte, Mr. Speaker.
Total 50

Excused: Small-Eastman.
Total 1

Absent or not voting: Kasten.
Total 1

SPECIAL ORDERS OF THE DAY

HJR 48, introduced by MacLaren, the following sponsors were added:
Reps. Becker, Dutton, W. Jones, McGillvray.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, April 12, 2007. Motion carried.

House adjourned at 3:00 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 12, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/12/2007

Correctly enrolled: **HB 26, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456.** 4/11/2007

Signed by the President at 4:50 p.m., April 11, 2007: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782, HJR 22, HJR 26, HJR 33.**

Correctly enrolled: **HB 19, HB 77, HB 540, HB 583, HB 778, HJR 45, HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.** 4/12/2007

Examined by the sponsor and found to be correct: **HB 83, HB 153, HB 361, HB 364, HB 450, HB 452, HB 778, HB 19, HB 26, HB 77, HB 117, HB 272, HB 287, HB 300, HB 415, HB 433, HB 435, HB 456, HB 460, HB 468, HB 487, HB 496, HB 524, HB 537, HB 540, HB 583, HB 681.**

Delivered to the Secretary of State at 11:30 a.m., April 12, 2007: **HJR 22, HJR 26, HJR 33.**

Delivered to the Governor for approval at 11:45 a.m., April 12, 2007: **HB 35, HB 99, HB 113, HB 348, HB 372, HB 587, HB 617, HB 629, HB 657, HB 782.**

EDUCATION (Jore, Chairman): 4/12/2007
SB 412, be concurred in. Report adopted.

TAXATION (Lake, Chairman): 4/12/2007
SB 201, be amended as follows:

1. Page 4.

Following: line 30

Insert: "(c) for a county, include a statement of how the governing body of the county intends to coordinate and cooperate with neighboring counties in the development of a growth policy;"

Renumber: subsequent subsection

And, as amended, be concurred in. Report adopted.

SB 375, be concurred in. Report adopted.

SB 549, be amended as follows:

1. Page 1, line 23.

Following: "in"

Insert: "subsection"

2. Page 3, line 3.

Following: "in"

Insert: "subsection"

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3. Page 3, line 9.

Strike: "agricultural land"

Following: "classification"

Insert: "as agricultural land"

4. Page 3, line 11.

Following: "\$1,500"

Insert: "in"

5. Page 3, line 12.

Following: "economics"

Insert: "and economics"

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Sonju, Chairman):

4/12/2007

SB 271, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in:

4/12/2007

SB 291, introduced by Perry

MESSAGES FROM THE GOVERNOR

April 11, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 426, "AN ACT REMOVING THE \$500,000 LIMIT ON A COUNTY'S ROAD AND BRIDGE CAPITAL IMPROVEMENT FUND; AMENDING SECTION 7-14-2506, MCA; AND PROVIDING AN EFFECTIVE DATE."

House Bill 426 removes the current \$500,000 cap on a county's road and bridge capital improvement fund. My proposed amendment requires that before a county expend money from the road and bridge capital improvement fund, the county must determine that the public's right to access rivers and streams from county roads and bridges meets the requirements of law.

A 2000 Montana Attorney General Opinion held that the public may gain access to streams and rivers by using a

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county road and its right-of-way, and that a bridge and its abutments are part of the public highway and subject to the same public easement of passage as the highway to which the bridge is attached. 48 Op. Atty. Gen. Mont. No. 13. My proposed amendment would ensure that expenditures of money from the county road and bridge capital improvement fund are spent on county roads and bridges that are in compliance with Montana law as it concerns the public's right of access to Montana's rivers and streams.

I urge your passage of HB 426 with my proposed amendments, a copy of which are attached to this letter.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Amendments to House Bill No. 426
Reference Copy
Requested by the Governor
For the House Committee of the Whole
Prepared by Greg Petesch
May 4, 2007 (9:34am)

1. Title, line 5.

Following: "FUND;"

Insert: "REQUIRING THAT BEFORE A COUNTY MAY EXPEND MONEY FROM THE ROAD AND BRIDGE CAPITAL IMPROVEMENT FUND, THE COUNTY IS REQUIRED TO DETERMINE THAT THE ROAD OR BRIDGE CONFORMS TO THE RIGHT OF THE PUBLIC TO ACCESS MONTANA'S STREAMS AND RIVERS; CODIFYING AN ATTORNEY GENERAL'S OPINION REGARDING THE PUBLIC'S RIGHT TO ACCESS STREAMS AND RIVERS FROM A COUNTY BRIDGE AND ITS RIGHT-OF-WAY;"

Following: "AN"

Insert: "IMMEDIATE"

2. Page 1, line 16.

Following: "~~limitation.~~"

Insert: "(1)"

3. Page 1, line 19.

Following: line 18

Insert: "(2) Before it may expend money from the road and bridge capital improvement fund, the governing body of a county shall make a determination that the public's ability to access the stream or river from the county road or bridge or from the rights-of-way of the county road or bridge on which the governing body intends to expend the money conforms to the requirements of [section 2]."

Insert: "NEW SECTION. Section 2. Stream access from county roads and bridges. (1) Subject to subsection (6), a person may gain access to a stream or river by using a county bridge, its right-of-way, and its abutments.

(2) Subject to subsection (6), a person may gain access to a stream or river by use of a county road right-of-way as described in 7-14-2112 and acquired pursuant to 7-14-2107.

(3) With approval by the board of county commissioners and if necessary for livestock control, a landowner or lessee of land adjacent to or underlying a county bridge may attach a fence or other obstruction to the bridge in a manner that is least restrictive to the public's ability to access a stream or river. The board may approve the fence or other obstruction with conditions ensuring public access. The board may consult with the department on

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conditions of public access.

(4) A person is required to stay within the road and bridge easement or right-of-way to gain access to a stream or river. Absent any definition in an easement or deed to the contrary, the width of a bridge right-of-way easement is the same as the right-of-way easement for the county road to which it is connected. The standard width of a right-of-way is provided for in 7-14-2112, and a right-of-way is acquired pursuant to 7-14-2107.

(5) The board of county commissioners of a county where a bridge on a county road is located, by a reasonable exercise of the board's police power, may condition the access, as described in subsections (1) through (4), for purposes of public safety, but only to the extent necessary for public safety.

(6) Access to streams and rivers from a county road or bridge created by prescription is dependent upon the use of the road or bridge during the prescription period.

(7) This section may not be construed to require the county to construct or maintain areas for parking, paths, walkways, steps, ramps, or other accommodations in the county's reasonable exercise of its police power as provided in subsection (5), but the county may do so if the county chooses.

(8) For purposes of this section, "access" means access to streams and rivers for recreational use.

"

Insert: "NEW SECTION. Section 3. {standard} Codification instruction. [Section 2] is intended to be codified as an integral part of Title 23, chapter 2, part 3, and the provisions of Title 23, chapter 2, part 3, apply to [section 2].

"

Renumber: subsequent section

4. Page 1, line 20.

Strike: "July 1, 2007"

Insert: "on passage and approval"

-END-

April 11, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

Today, April 11, 2007, I signed **HB 242** (Ripley) and delivered it to the Secretary of State.

Today, I also returned **HB 426** (Ross), along with a Veto message, to the Chief Clerk of the House.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 60, introduced by Dickenson, Perry, Jent, Phillips, McAlpin, Jacobson, French, Ebinger, Wiseman, Driscoll, Shockley, Van Dyk, Branae, referred to Federal Relations, Energy and Telecommunications.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bergren in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 157 - Representative Augare moved **SB 157** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Beck, Blasdel, Everett, Hendrick, Jore, Kasten, Koopman, Peterson, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 185 - Representative Phillips moved **SB 185** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Mendenhall, Milburn, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells.

Total 30

Excused: None.

Total 0

Absent or not voting: McGillvray, Mr. Speaker.

Total 2

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SB 192 - Representative McGillvray moved **SB 192** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 94

Noes: Hawk, Jayne, Small-Eastman.
Total 3

Excused: None.
Total 0

Absent or not voting: Himmelberger, Sinrud, Mr. Speaker.
Total 3

SB 209 - Representative Boggio moved consideration of **SB 209** be passed for the day. There being no objection, so ordered.

SB 243 - Representative Vincent moved **SB 243** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 87

Noes: Becker, Butcher, Dickenson, Driscoll, Erickson, Jayne, Raser.
Total 7

Excused: None.
Total 0

Absent or not voting: Dutton, Hilbert, L. Jones, Milburn, Sinrud, Mr. Speaker.
Total 6

SB 253 - Representative Himmelberger moved consideration of **SB 253** be placed at the bottom of the second reading board. There being no objection, so ordered.

SB 261 - Representative Hendrick moved **SB 261** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher,

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Caferro, Callahan, Campbell, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 93

Noes: Jore, Koopman, Witte.

Total 3

Excused: None.

Total 0

Absent or not voting: Clark, Cohenour, Noonan, Villa.

Total 4

SB 287 - Representative Becker moved **SB 287** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Jayne, Jore, Koopman, Windy Boy.

Total 4

Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

SB 296 - Representative Dutton moved **SB 296** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 83

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Noes: Caferro, Gallik, Hawk, Jayne, Jore, Lake, Lambert, McGillvray, Peterson, Ross, Sinrud, Sonju, Stahl, Stoker, Windy Boy, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: W. Jones.

Total 1

SB 314 - Representative Stahl moved **SB 314** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 92

Noes: Beck, Blasdel, Jore, Mendenhall, Ripley, Stoker, Witte, Mr. Speaker.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 321 - Representative Mendenhall moved **SB 321** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Beck, Blasdel, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Peterson, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: Jopek.

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Total 1

SB 350 - Representative O'Hara moved **SB 350** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Barrett, Beck, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Mendenhall, Rice, Sinrud, Ward, Wells, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 372 - Representative Milburn moved **SB 372** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Bixby, Caferro, Dickenson, Erickson, Hands, Jayne, MacLaren, Nooney.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 253 - Representative Wilmer moved **SB 253** be concurred in.

SB 253 - Representative Sinrud moved **SB 253**, second reading copy, be amended as follows:

1. Page 1, lines 24 and 25.

Following: "ATTORNEY" on line 24

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Strike: remainder of line 24 through "ATTORNEY" on line 25

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Caferro, Jayne, Jopek, McAlpin, Van Dyk, Villa.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 253 - The motion to concur in **SB 253**, as amended, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Butcher, Everett, Franklin, Hawk, Jayne, Jore, Nooney, Sonju.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 139 - Senate Amendments - Representative Branae moved Senate amendments to **HB 139** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange,

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MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 81

Noes: Barrett, Beck, Blasdel, Everett, Groesbeck, Hawk, Heinert, Jore, Koopman, Lake, Mendenhall, Ripley, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 362 - Senate Amendments - Representative Olson moved Senate amendments to **HB 362** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 100

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 439 - Senate Amendments - Representative Koopman moved Senate amendments to **HB 439** be concurred in. Motion carried as follows:

Ayes: Arntzen, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Cordier, Dutton, Ebinger, Erickson, Everett, Glaser, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, Kasten, Keane, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Rice, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 62

Noes: Ankney, Barrett, Bixby, Caferro, Callahan, Clark, Cohenour, Dickenson, Driscoll, Franklin, French, Furey, Gallik, Grinde, Hawk, Heinert, Ingraham, Jayne, W. Jones, Jopek, Jore, Kottel, Lake, McChesney,

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Mendenhall, Noonan, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sonju, Van Dyk, Villa, Vincent, Wilmer.

Total 37

Excused: None.

Total 0

Absent or not voting: Augare.

Total 1

HB 522 - Senate Amendments - Representative Sinrud moved Senate amendments to **HB 522** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dutton, Everett, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 72

Noes: Augare, Becker, Bixby, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Henry, Jayne, W. Jones, Jopek, Noonan, Pomnichowski, Raser, Sands, Sesso, Sonju, Villa, Vincent, Wiseman.

Total 28

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Bergren moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Franklin, Gallik, Jayne, Koopman, Mendenhall.

Total 5

Excused: None.

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Total 0

Absent or not voting: Bergren, Hilbert, Jore, MacLaren, Phillips, Sesso, Ward.

Total 7

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 136 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 269 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jore.

Total 1

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 299 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cordier, Dutton, Ebinger, Everett, French, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.
Total 66

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Erickson, Franklin, Furey, Gallik, Grinde, Hands, Henry, Hollenbaugh, Jayne, Keane, McAlpin, McChesney, Musgrove, Noonan, Parker, Peterson, Pomnichowski, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 34

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 357, Governor's amendments concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Boggio, Everett, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Milburn, Sonju, Mr. Speaker.
Total 12

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 369 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L.

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Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lange, McGillvray, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 425 passed as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Klock, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Arntzen, Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 34

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

HB 514 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: None.

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Total 0

Excused: None.

Total 0

Absent or not voting: Himmelberger, Milburn.

Total 2

HB 526 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Ripley, Sinrud, Sonju.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Boggio, Jore, Kasten, Koopman, Mendenhall, Ripley, Sinrud, Sonju.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 683 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jore, Koopman, Wells, Mr. Speaker.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 706 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 85

Noes: Beck, Cordier, Everett, Hands, Hawk, Hollenbaugh, Kasten, Lake, Malcolm, Musgrove, Rice, Ripley, Sinrud, Wells, Mr. Speaker.

Total 15

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 727 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan,

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Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Cohenour, Gallik, Henry, Jayne, Jore, Koopman, Mendenhall, Ripley, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 737 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 90

Noes: Berggren, Everett, Jore, Kasten, Kerns, Koopman, Mendenhall, Ripley, Sinrud, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 738 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Berggren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Bixby, Callahan, Cohenour, Jayne, Jore.

Total 5

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 755 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Beck, Cohenour, Dickenson, Hands, Jayne, Kerns, Musgrove, Raser.

Total 8

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 759 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 96

Noes: Jore, Koopman, Mendenhall, Mr. Speaker.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 764 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Augare, Jore, Koopman.
Total 3

Excused: None.
Total 0

Absent or not voting: Kerns.
Total 1

HB 765 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Everett, Jore, Kasten, Koopman, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 781 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

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Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Ebinger, Everett, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lake, Malcolm, Mendenhall, Milburn, O'Hara, Ripley, Sesso, Sinrud, Stoker, Wells, Witte, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 16 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 90

Noes: Cohenour, Everett, Jayne, Jore, Koopman, Lake, Mendenhall, Stoker, Van Dyk, Windy Boy.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 39 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 62

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 38

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HJR 41 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 15 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Blasdel, Butcher, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 29

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Lange moved to re-refer **SB 524** to the committee on Business and Labor. There being no objections, so ordered.

Representative French moved to take **SB 306** from the table in the Committee on Judiciary, be printed and placed on

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second reading on Legislative Day 78. The motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, April 13, 2007. Motion carried.

House adjourned at 2:55 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 13, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Heinert and Representative Ripley. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventieth, seventy-first, seventy-second, seventy-fourth, seventy-fifth, and seventy-sixth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/12/2007

Correctly printed: **SB 271, SB 281, SB 375, SB 412, SB 552, SB 553.**

Examined by the sponsor and found to be correct: **HJR 45.**

Examined by the sponsor and found to be correct: **HB 467.** 4/13/2007

HUMAN SERVICES (Stoker, Chairman): 4/13/2007

SJR 19, be concurred in. Report adopted.

HJR 47, be adopted. Report adopted.

HJR 48, be amended as follows:

1. Page 2, line 6.

Following: "portable,"

Insert: "affordable"

Strike: "private"

Following: "Montanans"

Insert: "that involves private health insurance issuers and that incorporates existing public programs"

2. Page 2, line 8.

Following: "quality"

Insert: ", affordability,"

3. Page 2, line 9.

Following: "portable,"

Insert: "affordable,"

4. Page 2, line 12.

Following: "portable,"

Insert: "affordable,"

5. Page 2.

Following: line 17

Insert: "(2) the advantages and disadvantages of mandating the private universal coverage;"

Renumber: subsequent subsections

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And, as amended, be adopted. Report adopted.

HJR 52, be adopted. Report adopted.

SB 94, be concurred in. Report adopted.

SB 162, be concurred in. Report adopted.

SB 387, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Milburn, Chairman):

4/13/2007

SJR 3, be amended as follows:

1. Page 2, line 2.

Following: "WHEREAS,"

Insert: "improving"

Following: "and"

Strike: "wise"

Strike: "are"

Insert: "is"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Himmelberger, Chairman):

4/13/2007

HJR 59, be adopted. Report adopted.

TAXATION (Lake, Chairman):

4/13/2007

SB 439, be amended as follows:

1. Page 1.

Following: line 20

Insert: "(2) 'Publicly traded partnership' means a publicly traded partnership as defined in section 7704 of the Internal Revenue Code, 26 U.S.C. 7704, that is not treated as a corporation."

Renumber: subsequent subsections

2. Page 2, line 7.

Strike: "or"

3. Page 2.

Following: line 7

Insert: "(d) a publicly traded partnership;

(e) an organization that is exempt from taxation under 15-31-102; or"

Renumber: subsequent subsection

4. Page 2, line 10.

Strike: "50,000"

Insert: "100,000"

Strike: "300,000 THOUSAND"

Insert: "500 million"

5. Page 2.

Following: line 18

Insert: "(c) Each year, a publicly traded partnership that is exempt from withholding under subsection (1)(d) shall

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transmit to the department, in an electronic format approved by the department, each partner's U.S. department of the treasury schedule K-1, form 1065 or 1065-B, as applicable, filed electronically for the year with the internal revenue service.

(d) A royalty owner that is a publicly traded partnership or an organization that is exempt from taxation under 15-31-102 shall report to the remittor and department under oath, on a form prescribed by the department, all information necessary to establish that the remittor is not required under [section 3] to withhold royalty payments made to the partnership or organization."

And, as amended, be concurred in. Report adopted.

SB 550, be amended as follows:

1. Page 7, line 26.

Strike: ", NOT" through "AMOUNT),"

2. Page 7, line 30.

Strike: ", NOT" through "AMOUNT),"

3. Page 10, line 16.

Strike: "of that government"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

HB 24 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 24**:

4/12/2007

Senator Lind
Senator Kaufmann
Senator Perry

HB 462 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 462**:

4/12/2007

Senator Williams
Senator Brown
Senator Gallus

HB 533 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 533**:

4/12/2207

Senator Harrington
Senator Story
Senator Elliott

HB 608 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 608**:

4/12/2007

Senator Kaufmann
Senator Lewis

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Senator Williams

HB 668 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 668**:
4/12/2007

Senator Cocchiarella
Senator Squires
Senator Steinbeisser

HB 687 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 687**:
4/12/2007

Senator Gillan
Senator Laible
Senator Moss

HB 715 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 715**:
4/12/2007

Senator Harrington
Senator Wanzenried
Senator Gebhardt

HB 766 - The Senate acceded to the request of the House and authorized the President to appoint the following- Conference Committee to meet with a like committee from the House to confer on **HB 766**:
4/12/2007

Senator Cocchiarella
Senator Esp
Senator Weinberg

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 61, introduced by Cohenour, Grinde, McAlpin, Blasdel, Hilbert, Butcher, Sonju, Pomnichowski, Jopek, Vincent, Lake, Nooney, Ross, Hamilton, Bixby, Erickson, MacLaren, Lambert, referred to Taxation.

HJR 62, introduced by Mendenhall, Stahl, L. Jones, Stapleton, Balyeat, referred to Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 139 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer,

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Wilson, Windy Boy, Wiseman.
Total 77

Noes: Barrett, Beck, Blasdel, Everett, Hawk, Heinert, Hilbert, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Milburn, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 19

Voted Absentee: Heinert, No.

Excused: Ripley.
Total 1

Absent or not voting: Dickenson, W. Jones, Vincent.
Total 3

HB 362 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Franklin, Gallik.
Total 2

Voted Absentee: Heinert, Aye.

Excused: Ripley.
Total 1

Absent or not voting: Dickenson, MacLaren.
Total 2

HB 439 passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Hiner, Jacobson, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Phillips, Rice, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Ward, Wells, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 55

Noes: Augare, Becker, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hollenbaugh, Ingraham, Jayne, Jopek, Kottel, Lake, Malcolm, McAlpin, McChesney, Noonan, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sesso, Van Dyk, Villa, Vincent, Wilmer, Wiseman.

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Total 43

Voted Absentee: Heinert, No.

Excused: Ripley.

Total 1

Absent or not voting: L. Jones.

Total 1

HB 522 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Dutton, Ebinger, Everett, Glaser, Grinde, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Reinhart, Rice, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 70

Noes: Becker, Bergren, Bixby, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Groesbeck, Hands, Henry, Hollenbaugh, Jayne, Jopek, Koopman, Kottel, Noonan, Pomnichowski, Raser, Sesso, Vincent, Wilson, Wiseman.

Total 29

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 157 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Everett, Hendrick, Jore, Kasten, Koopman, Peterson, Sinrud, Wells, Witte, Mr. Speaker.

Total 10

Voted Absentee: Heinert, Aye.

Excused: Ripley.

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Total 1

Absent or not voting: None.

Total 0

SB 185 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Mendenhall, Milburn, Peterson, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 29

Voted Absentee: Heinert, No.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 192 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Beck, Hawk, Jayne.

Total 3

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

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SB 243 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dutton, Ebinger, Franklin, French, Furey, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Becker, Dickenson, Driscoll, Erickson, Everett, Gallik, Grinde, Hands, Jayne, Musgrove, Raser.

Total 11

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 261 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 95

Noes: Jore, Koopman, Sinrud, Witte.

Total 4

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 287 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 92

Noes: Jayne, Jore, Koopman, Mendenhall, Sinrud, Windy Boy, Mr. Speaker.

Total 7

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 296 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 77

Noes: Beck, Bergren, Caferro, Franklin, Gallik, Hawk, Hilbert, Jayne, Jore, Kasten, Koopman, Lake, Lambert, McGillvray, Musgrove, Peterson, Ross, Sinrud, Sonju, Stoker, Windy Boy, Mr. Speaker.

Total 22

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 314 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman.

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Total 86

Noes: Beck, Bergren, Blasdel, Jore, Lake, Lambert, Mendenhall, Sinrud, Sonju, Stoker, Wilson, Witte, Mr. Speaker.
Total 13

Voted Absentee: Heinert, Aye.

Excused: Ripley.
Total 1

Absent or not voting: None.
Total 0

SB 321 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 84

Noes: Beck, Blasdel, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, McGillvray, Peterson, Sinrud, Taylor, Wells, Witte, Mr. Speaker.
Total 15

Voted Absentee: Heinert, Aye.

Excused: Ripley.
Total 1

Absent or not voting: None.
Total 0

SB 350 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 86

Noes: Barrett, Beck, Everett, Hawk, Jayne, Jore, Kasten, Kerns, Mendenhall, Rice, Ward, Wells, Mr. Speaker.
Total 13

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Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: None.

Total 0

SB 372 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Everett, Franklin, French, Furey, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 82

Noes: Bixby, Caferro, Dickenson, Erickson, Gallik, Glaser, Grinde, Hands, Jayne, Lange, MacLaren, Sinrud, Sonju, Wilson.

Total 14

Voted Absentee: Heinert, Aye.

Excused: Ripley.

Total 1

Absent or not voting: Keane, Vincent, Windy Boy.

Total 3

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Phillips in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 209 - Representative Boggio moved **SB 209** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 94

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Noes: Jayne, Jore, Koopman, Sinrud, Windy Boy, Mr. Speaker.
Total 6

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 49 - Representative Thomas moved **HJR 49** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Stahl, Stoker, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Beck, Blasdel, Everett, Hawk, Hendrick, Hilbert, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McAlpin, Mendenhall, Morgan, Reinhart, Sinrud, Sonju, Taylor, Van Dyk, Wells, Witte, Mr. Speaker.
Total 24

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

HJR 50 - Representative Becker moved **HJR 50** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 66

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 34

Voted Absentee: Heinert, Ripley, Noes.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 53 - Representative Grinde moved **HJR 53** be adopted. Motion **failed** as follows:

Ayes: Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Voted Absentee: Heinert, Ripley, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 158 - Representative Nooney moved **SB 158** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Jore, Kerns, Koopman, Lake, McGillvray, Mendenhall, Stoker, Witte, Mr. Speaker.
Total 9

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.
Total 0

Absent or not voting: Henry, Hilbert, Ross.
Total 3

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SB 281 - Representative Hilbert moved **SB 281** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Caferro, Callahan, Campbell, Dickenson, Franklin, Ripley, Sands, Villa, Windy Boy.

Total 9

Voted Absentee: Heinert, Aye; Ripley, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 514 - Representative Nooney moved **SB 514** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 56

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 44

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 552 - Representative Ross moved **SB 552** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W.

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Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Callahan, Campbell, Dickenson, Everett, Franklin, Hawk, Himmelberger, Jore, Malcolm, McGillvray, Morgan, Sands, Sinrud, Mr. Speaker.

Total 14

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 553 - Representative L. Jones moved **SB 553** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Blasdel, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Sinrud, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 19

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 2 - Representative Cohenour moved **SJR 2** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 55

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert,

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Hendrick, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 44

Voted Absentee: Heinert, Ripley, Noes.

Excused: None.
Total 0

Absent or not voting: Campbell.
Total 1

SJR 5 - Representative French moved **SJR 5** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 57

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Vincent, Wells, Witte, Mr. Speaker.
Total 43

Voted Absentee: Heinert, Ripley, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 6 - Representative Ebinger moved **SJR 6** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 56

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 44

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Voted Absentee: Heinert, Ripley, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 10 - Representative Boggio moved **SJR 10** be concurred in. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McGillvray, Musgrove, O'Hara, Parker, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Butcher, Clark, Dutton, Everett, Franklin, Gallik, Glaser, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, Olson, Peterson, Phillips, Rice, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 51

Voted Absentee: Heinert, Ripley, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 13 - Representative Lambert moved **SJR 13** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kottel, Lake, Lambert, McAlpin, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.

Total 60

Noes: Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Callahan, Dutton, Everett, Franklin, Gallik, Hawk, Heinert, Himmelberger, Jayne, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lange, MacLaren, Malcolm, McChesney, Mendenhall, Morgan, Nooney, Peterson, Ripley, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 40

Voted Absentee: Heinert, Ripley, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SJR 24 - Representative McGillvray moved **SJR 24** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 76

Noes: Ankney, Barrett, Blasdel, Boggio, Butcher, Grinde, Hands, Himmelberger, Jore, Kasten, Kerns, Klock, Malcolm, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Wilson.
Total 24

Voted Absentee: Heinert, Aye; Ripley, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 26 - Representative Nooney moved consideration of **SJR 26** be passed for the day. Motion carried.

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Phillips moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Butcher, Callahan, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Keane, Kerns, Klock, Kottel, Lake, Lambert, Malcolm, McAlpin, McGillvray, McNutt, Morgan, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ross, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman.
Total 61

Noes: Heinert, Jore, Koopman, Ripley, Mr. Speaker.
Total 5

Voted Absentee: Heinert, Ripley, Noes.

Excused: None.
Total 0

Absent or not voting: Beck, Branae, Caferro, Campbell, Dickenson, Everett, Franklin, Gallik, Hawk, Hilbert, Himmelberger, Jayne, W. Jones, Jopek, Kasten, Lange, MacLaren, McChesney, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Phillips, Raser, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Thomas, Windy Boy, Witte.
Total 34

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REPORTS OF STANDING COMMITTEES

Examined by the sponsor and found to be correct: **HB 235, HB 310, HB 633.**

Signed by the Chief Clerk of the House at 1:30 p.m., April 13, 2007: **HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.**

Signed by the Speaker at 2:00 p.m., April 13, 2007: **HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.**

MOTIONS

Majority Leader Lange moved that **SB 281** be re-referred to the Committee on House Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that **SB 514** be re-referred to the Committee on House Appropriations. There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 25**, by Representative Olson.

The Speaker appointed the following members:

Representative Olson
Representative Lange
Representative Wilson

There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 8:00 a.m., Saturday, April 14, 2007. Motion carried.

House adjourned at 3:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 14, 2007

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present except Representative Everett, Representative Phillips, Representative McAlpin and Representative Villa, excused. Quorum present.

Speaker Sales introduced the honorary page for the day: Jessica Davis, Choteau

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/13/2007

Correctly printed: **HJR 47, HJR 52, HJR 59, SB 94, SB 162, SB 387, SJR 19.**

Correctly engrossed: **HJR 48, SB 439, SB 550, SJR 3.**

Correctly enrolled: **HB 136, HB 269, HB 299, HB 369, HB 425, HB 514, HB 526, HB 609, HB 683, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781, HJR 16, HJR 39, HJR 41.**

Examined by the sponsor and found to be correct: **HB 369, HB 683.**

Signed by the Chief Clerk of the House at 3:15 p.m., April 11, 2007: **HB 36, HB 154, HB 283, HB 291, HB 319, HB 328, HB 353, HB 389, HB 414, HB 428, HB 459, HB 520, HB 594, HB 630, HB 634, HB 636, HB 641, HB 672, HB 688, HB 690, HB 729, HB 742, HB 743, HB 744, HB 768, HB 771, HB 785, HB 811, HJR 5, HJR 14, HJR 19, HJR 24, HJR 34, HJR 36, HJR 38, HJR 40, HJR 42, HJR 44.**

Signed by the Speaker at 11:00 a.m., April 13, 2007: **HB 36, HB 154, HB 283, HB 291, HB 319, HB 328, HB 353, HB 389, HB 414, HB 428, HB 459, HB 520, HB 594, HB 630, HB 634, HB 636, HB 641, HB 672, HB 688, HB 690, HB 729, HB 742, HB 743, HB 744, HB 768, HB 771, HB 785, HB 811, HJR 5, HJR 14, HJR 19, HJR 24, HJR 34, HJR 36, HJR 38, HJR 40, HJR 42, HJR 44.**

Signed by the Speaker at 5:00 p.m., April 13, 2007: **HB 36, HB 154, HB 283, HB 291, HB 319, HB 328, HB 353, HB 389, HB 414, HB 428, HB 459, HB 520, HB 594, HB 630, HB 634, HB 636, HB 641, HB 672, HB 688, HB 690, HB 729, HB 742, HB 743, HB 744, HB 768, HB 771, HB 785, HB 811, HJR 5, HJR 14, HJR 19, HJR 24, HJR 34, HJR 36, HJR 38, HJR 40, HJR 42, HJR 44.**

Signed by the President at 6:45 p.m., April 13, 2007: **HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.**

Examined by the sponsor and found to be correct: **HB 136, HB 269, HB 297, HB 425, HB 514, HB 526, HB 609, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781, HJR 16, HJR 39, HJR 41.**

4/14/2007

APPROPRIATIONS (Sinrud, Chairman):

4/14/2007

SB 131, be concurred in. Report adopted.

SB 413, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

SB 49 - The Senate failed to concur in House amendments to **SB 49**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 49**:

4/13/2007

Senator Jent, Chair
Senator Esp
Senator Pease

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SB 74 - The Senate failed to concur in House amendments to **SB 74**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 74**:

4/13/2007

Senator Jent, Chair
Senator McGee
Senator Moss

SB 96 - The Senate failed to concur in House amendments to **SB 96**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 96**:

4/13/2007

Senator Williams, Chair
Senator Laible
Senator Laslovich

SB 121 - The Senate failed to concur in House amendments to **SB 121**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 121**:

4/13/2007

Senator Elliott, Chair
Senator Gebhardt
Senator Gillan

SB 147 - The Senate failed to concur in House amendments to **SB 147**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 147**:

4/13/2007

Senator Juneau, Chair
Senator Hawks
Senator Shockley

SB 227 - The Senate failed to concur in House amendments to **SB 227**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 227**:

4/13/2007

Senator Laslovich, Chair
Senator Jent
Senator Shockley

SB 365 - The Senate failed to concur in House amendments to **SB 365**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 365**:

4/13/2007

Senator Story, Chair
Senator Hansen
Senator M. Tropila

SB 404 -The Senate failed to concur in House amendments to **SB 404**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 404**:

4/14/2007

Senator Lind, Chair
Senator Jent
Senator Shockley

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SB 497 - The Senate failed to concur in House amendments to **SB 497**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 497**:

4/13/2007

Senator Moss, Chair
Senator Curtiss
Senator Juneau

SB 547 - The Senate failed to concur in House amendments to **SB 547**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 547**:

4/13/2007

Senator Laslovich, Chair
Senator Moss
Senator Perry

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 49 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Beck, Blasdel, Everett, Hawk, Hendrick, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, Morgan, Musgrove, Reinhart, Sinrud, Sonju, Stoker, Taylor, Van Dyk, Ward, Wells, Witte, Mr. Speaker.
Total 23

Voted Absentee: Everett, No.

Excused: McAlpin, Phillips, Villa.
Total 3

Absent or not voting: Mendenhall.
Total 1

HJR 50 adopted as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones,

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Jopek, Keane, Kottel, Lambert, MacLaren, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Ankney, Beck, Blasdel, Butcher, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Milburn, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 35

Voted Absentee: Everett, No.

Excused: McAlpin, Phillips, Villa.

Total 3

Absent or not voting: Mendenhall.

Total 1

SB 158 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 90

Noes: Jore, Kerns, Koopman, McGillvray, Witte.

Total 5

Voted Absentee: Everett, Aye.

Excused: McAlpin, Phillips, Villa.

Total 3

Absent or not voting: Butcher, Mendenhall.

Total 2

SB 209 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 83

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Noes: Ankney, Beck, Bergren, Groesbeck, Hawk, Jayne, Jopek, Jore, Koopman, Sinrud, Sonju, Windy Boy, Mr. Speaker.

Total 13

Voted Absentee: Everett, Aye.

Excused: McAlpin, Phillips, Villa.

Total 3

Absent or not voting: Mendenhall.

Total 1

SB 253 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, Malcolm, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 79

Noes: Butcher, Clark, Everett, Franklin, Hawk, Jayne, Jore, Koopman, Lake, MacLaren, Morgan, Nooney, Peterson, Sinrud, Wells, Windy Boy, Mr. Speaker.

Total 17

Voted Absentee: Everett, No.

Excused: McAlpin, Phillips, Villa.

Total 3

Absent or not voting: Mendenhall.

Total 1

SB 552 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 85

Noes: Everett, Hawk, Heinert, Jore, Kasten, Malcolm, Morgan, Sinrud, Vincent, Wells, Mr. Speaker.

Total 11

Voted Absentee: Everett, No.

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Excused: McAlpin, Phillips, Villa.
Total 3

Absent or not voting: Butcher.
Total 1

SB 553 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 72

Noes: Bergren, Blasdel, Callahan, Driscoll, Everett, Gallik, Glaser, Groesbeck, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, Morgan, Peterson, Sesso, Stahl, Stoker, Taylor, Wells, Witte, Mr. Speaker.
Total 25

Voted Absentee: Everett, No.

Excused: McAlpin, Phillips, Villa.
Total 3

Absent or not voting: None.
Total 0

SJR 2 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Kottel, McChesney, McGillvray, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Stahl, Thomas, Van Dyk, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 46

Voted Absentee: Phillips, Aye; Everett, No.

Excused: McAlpin, Villa.
Total 2

Absent or not voting: None.
Total 0

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SJR 5 concurred in as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 45

Voted Absentee: Phillips, Aye; Everett, No.

Excused: McAlpin, Villa.

Total 2

Absent or not voting: None.

Total 0

SJR 6 concurred in as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 46

Voted Absentee: Everett, Phillips, Noes.

Excused: McAlpin, Villa.

Total 2

Absent or not voting: None.

Total 0

SJR 13 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kottel, Lambert, McChesney,

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Total 59

Noes: Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, Mendenhall, Morgan, Nooney, Peterson, Ripley, Sesso, Sinrud, Sonju, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 39

Voted Absentee: Phillips, Aye; Everett, No.

Excused: McAlpin, Villa.
Total 2

Absent or not voting: None.
Total 0

SJR 24 concurred in as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Koopman, Kottel, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 72

Noes: Ankney, Barrett, Blasdel, Boggio, Butcher, Heinert, Jayne, Jore, Kasten, Kerns, Klock, Lake, Malcolm, Mendenhall, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte.
Total 26

Voted Absentee: Everett, Phillips, Ayes.

Excused: McAlpin, Villa.
Total 2

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Barrett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 316 - Representative Erickson moved **SB 316** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Mendenhall, Ripley.

Total 2

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 375 - Representative Cohenour moved **SB 375** be concurred in. Motion **failed** as follows:

Ayes: Ankney, Arntzen, Augare, Butcher, Caferro, Campbell, Cohenour, Dickenson, French, Henry, Hollenbaugh, Jacobson, W. Jones, Kerns, Klock, Kottel, Mendenhall, Milburn, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Ripley, Stoker, Villa.

Total 27

Noes: Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Callahan, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, Jopek, Jore, Kasten, Keane, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Nooney, Olson, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 73

Voted Absentee: Phillips, Villa, Ayes; Everett, McAlpin, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 403 - Representative Cohenour moved **SB 403** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin,

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Total 83

Noes: Callahan, Dutton, Himmelberger, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Morgan, Ripley, Sinrud, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: Jopek.

Total 1

SB 549 - Representative Lambert moved **SB 549** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Jore, Keane, Koopman, Mendenhall, Peterson, Sinrud, Sonju, Witte, Mr. Speaker.

Total 9

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 271 - Representative Keane moved consideration of **SB 271** be passed for the day. Motion carried.

SB 128 - Representative Peterson moved **SB 128** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 53

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 47

Voted Absentee: McAlpin, Phillips, Villa, Ayes; Everett, Ripley, Noes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 146 - Representative Stoker moved **SB 146** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Hawk, Jayne, Jore, Koopman, McGillvray.

Total 5

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

SB 346 - Representative Peterson moved **SB 346** be concurred in. Motion **failed** as follows:

Ayes: Becker, Bergren, Driscoll, Everett, Groesbeck, Hollenbaugh, Keane, McAlpin, Noonan, Phillips, Raser, Taylor, Villa, Wilson.

Total 14

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 86

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Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 376 - Representative Heinert moved **SB 376** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: None.

Total 0

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: Lange, MacLaren, Small-Eastman.

Total 3

SB 407 - Representative L. Jones moved **SB 407** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 58

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 42

Voted Absentee: Everett, Aye; McAlpin, Phillips, Villa, Noes.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

SB 412 - Representative Ward moved **SB 412** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte.
Total 87

Noes: Everett, Hawk, Jore, Kasten, Koopman, Mendenhall, Pomnichowski, Ripley, Sinrud, Wells, Wiseman, Mr. Speaker.
Total 12

Voted Absentee: McAlpin, Phillips, Villa, Ayes; Everett, No.

Excused: None.
Total 0

Absent or not voting: Driscoll.
Total 1

SB 431 - Representative Nooney moved **SB 431** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Caferro, Clark, Cohenour, Cordier, Driscoll, Dutton, Franklin, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.
Total 66

Noes: Augare, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Dickenson, Ebinger, Erickson, Everett, French, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hollenbaugh, Jacobson, Jayne, Keane, McChesney, Noonan, Parker, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Wilmer, Wilson, Windy Boy.
Total 33

Voted Absentee: McAlpin, Phillips, Villa, Ayes; Everett, No.

Excused: None.
Total 0

Absent or not voting: Musgrove.
Total 1

SB 446 - Representative Cohenour moved **SB 446** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Groesbeck, Keane, Olson.

Total 3

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: Blasdel.

Total 1

SB 447 - Representative Koopman moved **SB 447** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jayne.

Total 1

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 461 - Representative Olson moved **SB 461** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane,

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Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 99

Noes: Wiseman.

Total 1

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 523 - Representative Peterson moved **SB 523** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Mendenhall.

Total 1

Voted Absentee: Everett, McAlpin, Phillips, Villa, Ayes.

Excused: None.

Total 0

Absent or not voting: Stahl, Vincent.

Total 2

SB 542 - Representative Heinert moved **SB 542** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

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Total 99

Noes: Everett.

Total 1

Voted Absentee: McAlpin, Phillips, Villa, Ayes; Everett, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 18 - Representative Van Dyk moved **SJR 18** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Ward, Wells, Witte, Mr. Speaker.

Total 39

Voted Absentee: McAlpin, Phillips, Villa, Ayes; Everett, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Barrett moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 88

Noes: Bergren, Bixby, Jore, Koopman, Mendenhall.

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Total 5

Excused: Everett, McAlpin, Phillips, Villa.
Total 4

Absent or not voting: Barrett, Sinrud, Witte.
Total 3

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 49**, by Senator Esp.

The Speaker appointed the following members:

Representative Ward
Representative O'Hara
Representative Kottel

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 74**, by Senator Jent.

The Speaker appointed the following members:

Representative Mendenhall
Representative Heinert
Representative Augare

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 96**, by Senator Williams.

The Speaker appointed the following members:

Representative Everett
Representative Butcher
Representative Kottel

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 121**, by Senator Elliott.

The Speaker appointed the following members:

Representative Lake
Representative Blasdel
Representative Hamilton

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like

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committee from the Senate to confer on **House Amendments to Senate Bill 147**, by Senator Shockley.

The Speaker appointed the following members:

Representative Lambert
Representative Vincent
Representative Bixby

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 227**, by Senator Laslovich.

The Speaker appointed the following members:

Representative Koopman
Representative Kearns
Representative Raser

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 497**, by Senator Moss.

The Speaker appointed the following members:

Representative Barrett
Representative Clark
Representative Jayne

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 547**, by Senator Perry.

The Speaker appointed the following members:

Representative Sinrud
Representative Morgan
Representative Parker

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to House Bill 25**, and to appoint a new Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 25**, by Representative Olson.

The Speaker appointed the following members:

Representative Olson
Representative Lange
Representative Thomas

There being no objections, so ordered.

Majority Leader Lange moved **SB 407** be re-referred to the Committee on Appropriations. There being no objections,

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so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Monday, April 16, 2007. Motion carried.

House adjourned at 10:20 a.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana
April 16, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

Two songs were presented by Capitol Harmony, a group composed of legislators, legislative spouses, lobbyists and staff.

Speaker Sales introduced the pages of the week:

Pages:	Reid Buckley, Roundup
	Beth Wurm, Glendive
	Sean Reinhart, Livingston
	Jesse Moore, Roundup
	Morgan Landeraaen, Scobey
	Marija Carte, Clancy
	Anna Wright, Belgrade

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman): 4/14/2007

Correctly printed: **SB 131, SB 413.**

Correctly engrossed: **HJR 57, SB 129.**

Signed by the Chief Clerk of the House at 3:15 p.m., April 13, 2007: **HB 19, HB 26, HB 77, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456, HB 540, HB 583, HB 778, HJR 45.**

Signed by the Speaker at 9:00 a.m., April 14, 2007: **HB 19, HB 26, HB 77, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456, HB 540, HB 583, HB 778, HJR 45.**

Delivered to the Secretary of State at 8:08 a.m., April 16, 2007: **HJR 5, HJR 14, HJR 19, HJR 24, HJR 34, HJR 36, HJR 38, HJR 40, HJR 42, HJR 44.**

Signed by the President at 8:45 a.m., April 16, 2007: **HB 19, HB 26, HB 77, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456, HB 540, HB 583, HB 778, HJR 45.**

Delivered to the Governor for approval at 9:40 a.m., April 16, 2007: **HB 19, HB 26, HB 77, HB 83, HB 117, HB 153, HB 235, HB 300, HB 310, HB 361, HB 364, HB 450, HB 452, HB 456, HB 540, HB 583, HB 778.**

Delivered to the Governor for approval at 9:40 a.m., April 16, 2007: **HB 272, HB 287, HB 415, HB 433, HB 435, HB 460, HB 467, HB 468, HB 487, HB 496, HB 524, HB 537, HB 633, HB 681.**

Delivered to the Governor for approval at 9:40 a.m., April 16, 2007: **HB 36, HB 154, HB 283, HB 291, HB 319, HB 328, HB 353, HB 389, HB 414, HB 428, HB 459, HB 520, HB 594, HB 630, HB 634, HB 636, HB 641, HB 672, HB 688, HB 690, HB 729, HB 742, HB 743, HB 744, HB 768, HB 771, HB 785, HB 811.**

Delivered to the Secretary of State at 10:14 a.m., April 16, 2007: **HJR 45.**

EDUCATION (Jore, Chairman): 4/14/2007

SB 129, be amended as follows:

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1. Page 1, line 21 through line 24.

Following: "NONENROLLMENT."

Strike: remainder of line 21 through line 24 in its entirety

2. Page 2, line 10.

Strike: "AND"

3. Page 2, line 12.

Following: "TRUANCY"

Insert: "; and

(g) considers a student's record of habitual truancy and whether or not to allow a student with an average truancy of five or more times each year over the past 3 years to enroll in a class for driver's education"

And, as amended, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Olson, Chairman): 4/14/2007
HJR 57, introduced joint resolution, be amended as follows:

1. Page 2, line 7.

Strike: "and"

2. Page 2, line 9.

Following: "granted"

Insert: "; and

(6) evaluate opportunities for the Department of Natural Resources and Conservation to partner with other organizations to acquire state trust lands that have restricted development rights, which would lower land acquisition costs while also perpetuating traditional uses of the land"

And, as amended, be adopted. Report adopted.

JUDICIARY (Rice, Chairman): 4/12/2007
SB 300, be amended as follows:

1. Title, line 5.

Following: "61-5-133,"

Insert: "61-9-419, 61-9-420, 61-9-421, 61-9-422, 61-9-423,"

2. Title, lines 6 and 7.

Strike: "REPEALING" on line 6 through "MCA" on line 7

Insert: "PROVIDING A TERMINATION DATE"

3. Page 4.

Following: line 13

Insert: "**Section 3.** Section 61-9-419, MCA, is amended to read:

"**61-9-419. "Properly restrained" defined.** ~~As~~ Effective October 1, 2011, as used in 61-9-420 through 61-9-423, "properly restrained" means fastened in a manner prescribed by the manufacturer of the system that permits the system to act as a body restraint, but does not mean a system in which the only body restraint is a safety belt of the type required by 61-9-409.""

Insert: "**Section 4.** Section 61-9-420, MCA, is amended to read:

"**61-9-420. Child safety restraint systems -- standards -- exemptions.** (1) ~~If~~ Effective October 1, 2011,

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if a child under 6 years of age and weighing less than 60 pounds is a passenger in a motor vehicle, that motor vehicle must be equipped with one child safety restraint for each child in the vehicle and each child must be properly restrained.

(2) The department shall by rule establish standards in compliance with 61-9-419 through 61-9-423 and applicable federal standards for approved types of child safety restraint systems.

(3) The department may by rule exempt from the requirements of subsection (1) a child who because of a physical or medical condition or body size cannot be placed in a child safety restraint.""

Insert: "Section 5. Section 61-9-421, MCA, is amended to read:

"61-9-421. Certain vehicles exempt. ~~Section~~ Effective October 1, 2011, 61-9-420 is not applicable to a vehicle that:

(1) is a motorbus, schoolbus, taxicab, moped, quadricycle, or motorcycle or is not required to be equipped with safety belts under 49 CFR 571 as it reads on January 1, 1984; or

(2) has a seating capacity as designated by the manufacturer of two persons and there are two persons 4 years of age or older in the vehicle.""

Insert: "Section 6. Section 61-9-422, MCA, is amended to read:

"61-9-422. Evidence admissible without presumption of negligence. ~~Evidence~~ Effective October 1, 2011, evidence of compliance or failure to comply with 61-9-420 is admissible in any civil action for personal injury or property damage resulting from the use or operation of a motor vehicle, but failure to comply with 61-9-420 does not alone constitute negligence.""

Insert: "Section 7. Section 61-9-423, MCA, is amended to read:

"61-9-423. Penalty. ~~Violation~~ Effective October 1, 2011, violation of 61-9-420 is punishable by a fine of not more than \$100.""

Renumber: subsequent sections

4. Page 7, lines 4 and 5.

Strike: section 8 in its entirety

5. Page 7.

Following: line 5

Insert: "NEW SECTION. **Section 13. Termination.** [Sections 1 and 2 and 8 through 12] terminate October 1, 2011."

And, as amended, be concurred in. Report adopted.

TAXATION (Lake, Chairman):

4/16/2007

HJR 61, be adopted. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 271 - Representative Hilbert moved **SB 271** be concurred in.

SB 271 - Representative Keane moved **SB 271**, second reading copy, be amended as follows:

1. Page 1, line 21.

Following: "zone"

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Insert: ";

(f) a vehicle with a manufacturer's rated capacity of 1 ton or less"

Amendment adopted as follows:

Ayes: Ankney, Augare, Barrett, Beck, Bergren, Blasdel, Campbell, Driscoll, Franklin, French, Gallik, Glaser, Groesbeck, Hamilton, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McChesney, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Raser, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 62

Noes: Arntzen, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Furey, Grinde, Hawk, Heinert, Hilbert, Himmelberger, Lake, McAlpin, McGillvray, McNutt, Nooney, O'Hara, Peterson, Pomnichowski, Reinhart, Ross, Thomas, Van Dyk, Wilmer, Wilson.

Total 37

Excused: None.

Total 0

Absent or not voting: Mendenhall.

Total 1

SB 271 - The motion that **SB 271**, as amended, be concurred in **failed** as follows:

Ayes: Arntzen, Becker, Bixby, Branae, Butcher, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Gallik, Glaser, Grinde, Hawk, Henry, Hilbert, Himmelberger, Jacobson, Kottel, Lange, MacLaren, McAlpin, McGillvray, Musgrove, Nooney, O'Hara, Peterson, Phillips, Raser, Ross, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Wilson, Wiseman.

Total 42

Noes: Ankney, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Campbell, Clark, Everett, French, Furey, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Noonan, Olson, Parker, Pomnichowski, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Stahl, Taylor, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 58

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 439 - Representative Erickson moved **SB 439** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips,

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Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 47 - Representative French moved **HJR 47** be adopted. Motion passed as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, Milburn, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 62

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McNutt, Mendenhall, Morgan, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 48 - Representative MacLaren moved **HJR 48** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Ankney, Beck, Blasdel, Boggio, Butcher, Caferro, Everett, Hawk, Heinert, Hendrick, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Malcolm, Mendenhall, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 32

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 52 - Representative Dickenson moved **HJR 52** be adopted. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Kottel, Lange, MacLaren, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 56

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 43

Excused: None.
Total 0

Absent or not voting: Butcher.
Total 1

HJR 59 - Representative Himmelberger moved **HJR 59** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Wiseman.
Total 79

Noes: Blasdel, Boggio, Caferro, Glaser, Hawk, Jayne, Jore, Kasten, Kerns, Lake, Lambert, Milburn, Morgan, Ripley, Ross, Taylor, Ward, Wells, Windy Boy, Witte.
Total 20

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 259 -Governor's Amendments -Representative Reinhart moved Governor's amendments to **HB 259** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 84

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Rice, Sinrud, Sonju, Stoker, Witte, Mr. Speaker.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 94 - Representative Dutton moved **SB 94** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Barrett.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 162 - Representative Reinhart moved **SB 162** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Villa, Ward, Wilmer, Wilson, Wiseman.

Total 69

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Noes: Barrett, Beck, Boggio, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, Mendenhall, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Vincent, Wells, Windy Boy, Witte, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: Glaser, Van Dyk.
Total 2

SB 348 - Representative Ebinger moved **SB 348** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Jayne, Jore, Koopman.
Total 3

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

SB 382 - Representative Gallik moved **SB 382** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 60

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SB 387 - Representative Henry moved **SB 387** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Barrett, Boggio, Everett, Glaser, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Mendenhall, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Stoker, Vincent, Wells, Witte, Mr. Speaker.

Total 27

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 391 - Representative Jopek moved **SB 391** be concurred in.

SB 391 - Representative Jopek moved **SB 391**, second reading copy, be amended as follows:

1. Page 2, line 9.

Strike: "as provided in subsection (3)"

Insert: ":",

2. Page 2, line 15.

Following: "County"

Insert: "(i) to the department of fish, wildlife, and parks for parcels that are surrounded by or adjacent to land owned by the department of fish, wildlife, and parks as of January 1, 2001;

(ii) to a nonprofit corporation for parcels that are surrounded by or adjacent to land owned by that same nonprofit corporation as of January 1, 2001; and

(iii) to a nonprofit corporation for the Owen Sowerwine natural area located within section 16, township 28 north, range 21 west, in Flathead County"

3. Page 2, line 22.

Following: "(3)"

Insert: "Except for subsections (3)(b) and (3)(c), which apply to all conservation easements granted pursuant to this section, the following apply specifically to conservation easements other than conservation easements provided for in subsection (1)(e):"

Amendment adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik,

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Total 72

Noes: Barrett, Butcher, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Klock, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Witte, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: Sonju, Vincent.

Total 2

SB 391, The motion that **SB 391**, as amended, be concurred in **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: None.

Total 0

Absent or not voting: Butcher.

Total 1

SB 128 - Representative Peterson moved **SB 128** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 57

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, French, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, McGillvray, Mendenhall, Morgan, Nooney, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 42

Excused: None.

Total 0

Absent or not voting: Lambert.

Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Van Dyk, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 78

Noes: Barrett, Blasdel, Cordier, Groesbeck, Hawk, Heinert, Jopek, Jore, Koopman, Morgan, Rice, Ripley, Sinrud, Sonju, Villa, Vincent, Wilson, Windy Boy.

Total 18

Excused: None.

Total 0

Absent or not voting: Hollenbaugh, Mendenhall, Phillips, Thomas.

Total 4

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

4/16/2007

SB 565, introduced by Schmidt

SB 566, introduced by Hawks

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 3, introduced by Franklin

HB 4, introduced by Musgrove

HB 6, introduced by Kasten

HB 7, introduced by Kasten

HB 9, introduced by Kasten

HB 49, introduced by Hamilton

HB 96, introduced by Kerns

HB 116, introduced by Ripley

HB 131, introduced by Sesso

HB 160, introduced by Stoker

HB 195, introduced by Lange

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HB 304, introduced by Furey
HB 488, introduced by Jopek
HB 512, introduced by L. Jones
HB 592, introduced by Wilson
HB 616, introduced by McChesney
HB 809, introduced by Glaser
HB 818, introduced by Taylor
HB 819, introduced by Taylor
HB 820, introduced by Taylor
HB 823, introduced by Small-Eastman
HB 829, introduced by L. Jones
HB 830, introduced by Kasten

SB 12 - The Senate failed to concur in House amendments to **SB 12**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 12**:

Senator Williams, Chair
Senator Laible
Senator Larson

MOTIONS

Majority Leader Lange moved to suspend the rules to have additional sponsors placed on **HB 405**. There being no objections, Senators Brueggeman and Laslovich were added.

Majority Leader Lange moved to reconsider actions taken on **SB 128** and have it placed on second reading. There being no objections, so ordered.

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:
HJR 63, introduced by Noonan, Phillips, Sesso, Sands, Campbell, referred to Appropriations.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 146 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

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Noes: Barrett, Campbell, Everett, Glaser, Hawk, Jayne, Jore, Koopman, Rice, Ripley, Ward.
Total 11

Voted Absentee: Mendenhall, Aye.

Excused: None.
Total 0

Absent or not voting: Gallik, Thomas.
Total 2

SB 316 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Beck, Mendenhall, Ripley, Sinrud.
Total 4

Voted Absentee: Mendenhall, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 376 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 99

Noes: Wells.
Total 1

Voted Absentee: Mendenhall, Aye.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 403 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 79

Noes: Augare, Callahan, Dutton, Everett, Hawk, Heinert, Himmelberger, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Morgan, Ripley, Sinrud, Vincent, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Mendenhall, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 412 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Witte.
Total 82

Noes: Beck, Caferro, Everett, Groesbeck, Hawk, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Pomnichowski, Ripley, Sesso, Sinrud, Sonju, Wells, Wiseman, Mr. Speaker.
Total 18

Voted Absentee: Mendenhall, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 431 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Everett, French, Furey, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Nooney, O'Hara, Olson, Rice, Ross, Small-Eastman, Stoker, Thomas, Villa, Ward, Wells, Windy Boy, Wiseman, Witte.

Total 57

Noes: Ankney, Beck, Becker, Bergren, Bixby, Branae, Callahan, Dickenson, Ebinger, Erickson, Franklin, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hilbert, Jacobson, Jayne, Keane, Lange, McAlpin, Morgan, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Sinrud, Sonju, Stahl, Taylor, Van Dyk, Vincent, Wilmer, Wilson, Mr. Speaker.

Total 43

Voted Absentee: Mendenhall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 446 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Lambert, Mendenhall, Olson, Sonju.

Total 4

Voted Absentee: Mendenhall, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 447 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert,

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Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Jayne.

Total 1

Voted Absentee: Mendenhall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 461 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 94

Noes: Bixby, Dickenson, Musgrove, Pomnichowski, Van Dyk, Wiseman.

Total 6

Voted Absentee: Mendenhall, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 523 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk,

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Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Mendenhall, Sinrud.
Total 2

Voted Absentee: Mendenhall, No.

Excused: None.
Total 0

Absent or not voting: Dutton.
Total 1

SB 542 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

Noes: Ankney, Bergren, Sinrud, Mr. Speaker.
Total 4

Voted Absentee: Mendenhall, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 549 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 89

Noes: Beck, Groesbeck, Jore, Keane, Koopman, Peterson, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 11

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Voted Absentee: Mendenhall, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 18 concurred in as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 42

Voted Absentee: Mendenhall, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to Senate Bill 74**, and to appoint a new Conference Committee.

The Speaker appointed the following members:

Representative Mendenhall
Representative Milburn
Representative Keane

There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, April 17, 2007. Motion carried.
House adjourned at 4:10 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 17, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Nooney. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/16/2007

Correctly printed: **HJR 61**.

Correctly engrossed: **SB 300, SB 436**.

Correctly enrolled: **HB 139, HB 362, HB 12, HB 63, HB 95, HB 125, HB 680, HB 148, HB 298, HB 473, HB 490, HB 574, HB 611, HB 677, HB 790**.

Examined by the sponsor and found to be correct: **HB 12, HB 63, HB 95, HB 125, HB 139, HB 362, HB 439, HB 522, HB 680**.

Signed by the Chief Clerk of the House at 10:05 a.m., April 14, 2007: **HB 136, HB 269, HB 299, HB 369, HB 425, HB 514, HB 526, HB 609, HB 683, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781, HJR 16, HJR 39, HJR 41**.

Signed by the Speaker at 2:00 p.m., April 16, 2007: **HB 136, HB 269, HB 299, HB 369, HB 425, HB 514, HB 526, HB 609, HB 683, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781, HJR 16, HJR 39, HJR 41**.

Signed by the President at 2:00 p.m., April 17, 2007: **HB 136, HB 269, HB 299, HB 369, HB 425, HB 514, HB 526, HB 609, HB 683, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781, HJR 16, HJR 39, HJR 41**.

Delivered to the Governor for approval at 3:30 p.m., April 17, 2007: **HB 136, HB 269, HB 299, HB 369, HB 425, HB 514, HB 526, HB 609, HB 683, HB 706, HB 727, HB 737, HB 738, HB 755, HB 759, HB 764, HB 765, HB 781**.

Delivered to the Secretary of State at 3:45 a.m., April 17, 2007: **HJR 16, HJR 39, HJR 41**.

TAXATION (Lake, Chairman):

4/11/2007

SR 436, be amended as follows:

1. Page 1, line 20.

Following: "AREA."

Insert: "Undeveloped land does not include land located under structures subject to a fee under subsection (2)(a). The excluded land may not exceed 1 acre."

2. Page 1, line 21.

Following: "SUPPRESSION."

Insert: "The fee may not exceed 15 cents an acre up to a maximum of \$250 for undeveloped land under single ownership. The fee may not be assessed on undeveloped land for which the owner pays a fee or tax to another public agency for wildland fire prevention and suppression."

And, as amended, be concurred in. Report adopted.

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TAXATION (Lake, Chairman):
SB 220, be amended as follows:

4/17/2007

1. Title, line 4 through line 24.

Strike: "ADOPTING" on line 4 through "EXCEEDED" on line 24

Insert: "PROVIDING TAX INCENTIVES FOR THE DEVELOPMENT OF RENEWABLE ENERGY RESOURCES; PROVIDING PROPERTY TAX ABATEMENTS FOR RENEWABLE ENERGY-RELATED PROPERTY; ALLOWING A PROPERTY TAX EXEMPTION, UNDER CERTAIN CONDITIONS, FOR LAND ADJACENT TO CERTAIN TRANSMISSION LINES; REVISING CLASS FOURTEEN PROPERTY TO INCLUDE TAXATION OF CERTAIN NEW TECHNOLOGY FACILITIES AND TRANSMISSION LINES; CREATING A NEW CLASS OF PROPERTY TAXES FOR CERTAIN PIPELINES; ALLOWING A REFUNDABLE INCOME TAX CREDIT FOR THE AMOUNT OF PROPERTY TAXES PAID ON \$20,000 OF MARKET VALUE OF A PRINCIPAL RESIDENCE ATTRIBUTABLE TO THE 95-MILL STATEWIDE LEVIES TO FUND SCHOOLS; PROVIDING THAT THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE EXAMINE THE CREDIT EACH INTERIM TO CHANGE THE RELIEF MULTIPLE FACTOR GOVERNING THE AMOUNT OF THE CREDIT; INCREASING THE INCOME TAX EXEMPTION TO AN AMOUNT EQUAL TO 80 PERCENT OF THE FEDERAL EXEMPTION AMOUNT; PROVIDING AN INFLATION ADJUSTMENT FOR THE DEDUCTION FOR FEDERAL INCOME TAXES PAID; GRANTING AUTHORITY TO THE DEPARTMENT OF REVENUE TO REQUIRE SOCIAL SECURITY NUMBERS OR TAXPAYER IDENTIFICATION NUMBERS IN TAX MATTERS; ESTABLISHING A 20-YEAR PARTIAL TAX ABATEMENT FOR COAL PRODUCED FOR CERTAIN NEW TECHNOLOGY FACILITIES"

2. Title, line 25.

Strike: "7-4-2623" through "AND"

Insert: "15-1-201, 15-6-141, 15-6-157"

3. Title, line 26.

Following: "15-6-219,"

Insert: "15-30-112, 15-30-121, 15-30-142, AND 15-35-103,"

Strike: "AN IMMEDIATE"

Strike: "DATE"

Insert: "DATES"

4. Page 1, line 30 through page 25, line 20.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Definitions. As used in [sections 1 through 3], unless the context requires otherwise, the following definitions apply:

(1) "Biodiesel" has the meaning provided in 15-70-301.

(2) "Biodiesel production facility" means improvements and personal property used for the production and onsite storage of biodiesel.

(3) "Biogas" means methane gas produced through controlled biochemical processes in which bacteria digest animal, municipal, or other organic wastes in an oxygen-free environment. The term includes naturally occurring methane gas formed underground in landfills.

(4) "Biogas production facility" means improvements and personal property used for the production of biogas and the generation of electricity at the facility.

(5) "Biomass" means any renewable organic matter, including dedicated energy crops and trees, agricultural food and feed crops, agricultural crop wastes and residues, wood wastes and residues, aquatic plants, animal wastes, municipal wastes, and other organic waste materials.

(6) "Biomass gasification" means a technology that uses a thermochemical process to convert biomass into

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a low-Btu or medium-Btu gas for the purpose of producing electricity, methane gas, transportation fuels, or chemicals. The technology includes the pretreatment of biomass feedstock involving drying, pulverizing, and screening.

(7) "Biomass gasification facility" means improvements and personal property used for the production of fuel or chemicals and the generation of electricity from biomass at the facility.

(8) "Carbon sequestration" means the long-term storage of carbon dioxide in geologic formations, including but not limited to deep saline formations, basalt or oil shale formations, depleted oil and gas reservoirs, unmineable coal beds, and closed-loop enhanced oil or natural gas recovery operations.

(9) "Clean advanced coal research and development equipment" means equipment used primarily for research and development of emerging methods for pollution control, carbon capture, and carbon sequestration. The term includes equipment used for research and development of effective and efficient removal of various pollutants and the capture, storage, transportation, compression, and injection of carbon dioxide from coal combustion facilities and advanced coal conversion facilities.

(10) "Coal gasification" means a process that converts coal into a synthesis gas composed of carbon monoxide, hydrogen, and other gasses. The coal gasification process includes the reaction of coal feedstock, prepared in either a dry or slurried form, with steam and oxygen at high temperature and pressure in a reducing atmosphere. The synthesis gas is then used to produce electricity, liquid fuels, methane gas, or chemicals.

(11) "Coal gasification facility" means improvements and personal property used for coal gasification that is used for the production of fuel or chemicals, the generation of electricity, or any combination of those things at the facility. The term includes a coal-to-liquid facility or an integrated gasification combined cycle facility.

(12) (a) "Coal-to-liquid facility" means improvements and personal property used for the production of synthetic liquid fuels from coal. The term includes a facility that may use the Fischer-Tropsch process, or other processes, to convert synthesis gas produced by coal gasification into liquid fuel.

(b) For purposes of subsection (12)(a), "Fischer-Tropsch process" means the synthesis of hydrocarbons and, to a lesser extent, of aliphatic oxygenated compounds by the catalytic hydrogenation of carbon monoxide.

(13) "Commencement of construction" means initiation of onsite fabrication, erection, or installation of, but not limited to, the following:

- (a) building supports or foundations;
- (b) laying of underground pipework; or
- (c) construction of storage structures.

(14) "Ethanol" means nominally anhydrous ethyl alcohol that has been denatured as specified in 27 CFR, parts 20 and 21, and that meets the standards for ethanol adopted pursuant to 82-15-103.

(15) "Ethanol production facility" means improvements and personal property used for the production and onsite storage of ethanol.

(16) "Geothermal facility" means improvements and personal property used for the production of electricity from geothermal sources.

(17) (a) "Integrated gasification combined cycle facility" means an electrical generation facility that uses a coal gasification process and routes synthesis gas to a combustion turbine to generate electricity and captures waste heat from the combustion turbine to drive a steam turbine to produce more electricity. The facility may also use incidental amounts of natural gas or other fuels in the combustion turbine.

(b) The term does not include an integrated gasification combined cycle facility at which the standard prevailing rate of wages for heavy construction, as provided in 18-2-401(13)(a), was not paid during the construction phase.

(18) "Renewable energy" includes but is not limited to the following:

- (a) solar energy;
- (b) wind energy;
- (c) geothermal energy;
- (d) energy from the conversion of biomass;
- (e) energy from biogas;
- (f) energy from fuel cells that do not require a petroleum-based fuel; and
- (g) energy from waste heat.

(19) (a) "Renewable energy manufacturing facility" means improvements and personal property used by a

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facility with its principal business being the manufacturing of component parts, systems, or similar equipment for use in facilities that produce renewable energy or use matter that is capable of being converted into forms of energy useful to people, including electricity, and the technology necessary to make this conversion when the source is not exhaustible.

(b) For purposes of subsection (19)(a), "principal business" means a renewable energy manufacturing facility with annual gross receipts from the sale of renewable energy component parts and systems of at least 50% of the facility's total gross sales for the year.

(20) "Renewable energy research and development equipment" means equipment used primarily for research and development of the efficient use of renewable energy sources."

Insert: "NEW SECTION. Section 2. Energy production or development -- tax abatement -- eligibility. (1) A facility listed in subsection (3), clean advanced coal research and development equipment, and renewable energy research and development equipment may qualify for an abatement of property tax liability.

(2) (a) If the abatement is granted, the qualifying facility or equipment must be taxed at 50% of its taxable value for the qualifying period.

(b) The abatement applies to all mills levied against the qualifying facility or equipment.

(3) Subject to subsection (4), the following facilities or property may qualify for the abatement allowed under [sections 1 through 3]:

(a) biodiesel production facilities;

(b) biogas production facilities;

(c) biomass gasification facilities;

(d) coal gasification facilities that sequester carbon dioxide in the coal gasification process;

(e) ethanol production facilities;

(f) geothermal facilities;

(g) renewable energy manufacturing facilities; and

(h) renewable energy research and development equipment and clean advanced coal research and development equipment.

(4) (a) Except as provided in subsection (4)(b), in order to qualify for the abatement under [sections 1 through 3], a facility listed in subsection (3) must meet the following requirements:

(i) commencement of construction of the facility must occur after June 30, 2007; and

(ii) the standard prevailing rate of wages for heavy construction, as provided in 18-2-401(13)(a), must be paid during the construction phase of the facility.

(b) In order to qualify for the abatement under [sections 1 through 3], renewable energy research and development equipment and clean advanced coal research and development equipment must be placed into service after June 30, 2007.

(5) The facility or renewable energy research and development equipment and clean advanced coal research and development equipment must be certified by the department of environmental quality that the conditions of this section have been met and, if applicable, any qualifications required under 15-6-157.

(6) Upon termination of the qualifying period, the abatement ceases and the property for which the abatement had been granted must be taxed at 100% of its taxable value.

(7) For the purposes of this section, "qualifying period" means the construction period and the first 10 years after the facility commences operation or the renewable energy research and development equipment or clean advanced coal research and development equipment is purchased. The total time of the qualifying period may not exceed 14 years."

Insert: "NEW SECTION. Section 3. Rules. (1) The department of environmental quality shall adopt rules related to the procedures for reviewing applications for the property tax abatement and the criteria for granting or denying an application for abatement under [sections 1 through 3]. The rules must also include criteria for revoking a certification.

(2) The department of revenue shall adopt rules for the implementation, including the valuation of qualifying property, and administration of the abatement.

(3) The department of environmental quality and the department of revenue shall consult with each other before adopting rules under this section."

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Insert: "NEW SECTION. Section 4. Exemption for land adjacent to transmission line right-of-way easement -- application -- limitations. (1) Subject to the conditions of this section, for tax years beginning after December 31, 2007, there is allowed an exemption from property taxes for land that is within 660 feet on either side of the midpoint of a transmission line right-of-way or easement.

(2) (a) An owner or operator of a transmission line shall apply to the department for an exemption under this section on a form provided by the department. The application must include a legal description and a digitized certificate of survey prepared by a surveyor registered with the board of professional engineers and professional land surveyors provided for in 2-15-1763 of the property in the county for which the exemption is sought and other information required by the department. A separate application must be made for each county in which an exemption is sought.

(b) An application for an exemption that would be in effect for the tax year and subsequent tax years must be filed with the department by March 1 in the tax year that the exemption is sought.

(3) (a) The owner or operator of a transmission line shall inform the department of any change in ownership of the land or other circumstances that may affect the eligibility of the land for the exemption. The department shall determine whether any changes have occurred that affect the eligibility of the land for the exemption.

(b) The exemption allowed under this section does not apply to:

(i) the boundaries of an incorporated or unincorporated city or town;

(ii) a platted and filed subdivision;

(iii) tracts of land used for residential, commercial, or industrial purposes; or

(iv) the 1 acre of land beneath improvements on land described in 15-6-133(1)(c) and 15-7-206(2).

(4) For the purposes of this section, "transmission line" means an electric line with a design capacity of 30 megavoltamperes or greater that is constructed after January 1, 2007."

Insert: "NEW SECTION. Section 5. Refundable income tax credit -- statewide equalization property tax levies on principal residence. (1) (a) There is a credit against the tax imposed by this chapter, which is calculated by multiplying the amount of property taxes imposed and paid on a property taxpayer's principal residence under 20-9-331, 20-9-333, and 20-9-360 on \$20,000 of market value on the residence times the relief multiple.

(b) As used in subsection (1)(a), the relief multiple is a number used to change the amount of tax relief allowed under this section. The relief multiple is 5. Each interim the revenue and transportation interim committee shall, based upon actual and projected state revenue and spending and any other appropriate factors, determine if a change in the relief multiple is justified. If a change is justified, the committee shall request a bill to change the relief multiple.

(2) As used in this section, "principal residence" means a class four residential dwelling that is a single-family dwelling unit, unit of a multiple-unit dwelling, trailer, manufactured home, or mobile home and as much of the surrounding land, not exceeding 5 acres, as is reasonably necessary for its use as a dwelling and that is occupied by the owner for at least 7 months during the tax year.

(3) Only one claim may be made with respect to any property.

(4) If the amount of the credit exceeds the claimant's liability under this chapter, the amount of the excess must be refunded to the claimant. The credit may be claimed even if the claimant has no income taxable under this chapter."

Insert: "Section 6. Section 15-1-201, MCA, is amended to read:

"15-1-201. Administration of revenue laws. (1) (a) The department has general supervision over the administration of the assessment and tax laws of the state, except Title 15, chapters 70 and 71, and over any officers of municipal corporations having any duties to perform under the laws of this state relating to taxation to the end that all assessments of property are made relatively just and equal, at true value, and in substantial compliance with law. The department may make rules to supervise the administration of all revenue laws of the state and assist in their enforcement.

(b) In the administration of any tax over which it has general supervision, the department may require all individuals subject to the tax laws of the state to provide to the department the individual's social security number, federal employee identification number, or taxpayer identification number.

~~(b)(c)~~ The department may contract with the U.S. department of the interior or any other federal agency to perform federal royalty audits, collection services, and any other delegable functions related to mining operations on

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federal lands within the state pursuant to the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996.

~~(c)~~(d) The department shall adopt rules specifying which types of property within the several classes are considered comparable property as defined in 15-1-101.

~~(d)~~(e) The department shall also adopt rules for determining the value-weighted mean sales assessment ratio for all commercial and industrial real property and improvements.

(2) The department shall confer with, advise, and direct officers of municipal corporations concerning their duties, with respect to taxation, under the laws of the state.

(3) The department shall collect annually from the proper officers of the municipal corporations information, in a form prescribed by the department, about the assessment of property, collection of taxes, receipts from licenses and other sources, expenditure of public funds for all purposes, and other information as may be necessary and helpful in the work of the department. It is the duty of all public officers to fill out properly and return promptly to the department all forms and to aid the department in its work. The department shall examine the records of all municipal corporations for purposes considered necessary or helpful."

Insert: "Section 7. Section 15-6-141, MCA, is amended to read:

"15-6-141. Class nine property -- description -- taxable percentage. (1) Class nine property includes:

(a) centrally assessed allocations of an electric power company or centrally assessed allocations of an electric power company that owns or operates transmission or distribution facilities or both, including, if congress passes legislation that allows the state to tax property owned by an agency created by congress to transmit or distribute electrical energy, allocations of properties constructed, owned, or operated by a public agency created by congress to transmit or distribute electrical energy produced at privately owned generating facilities, not including rural electric cooperatives. However, rural electric cooperatives' property, except wind generation facilities classified under 15-6-157, used for the sole purpose of serving customers representing less than 95% of the electric consumers located within the incorporated limits of a city or town of more than 3,500 persons in which a centrally assessed electric power company also owns property or serving an incorporated municipality with a population that is greater than 3,500 persons formerly served by a public utility that after January 1, 1998, received service from the facilities of an electric cooperative is included. For purposes of this subsection (1)(a), "property used for the sole purpose" does not include a headquarters, office, shop, or other similar facility.

(b) allocations for centrally assessed natural gas companies having a major distribution system in this state; and

(c) centrally assessed companies' allocations except:

(i) electrical generation facilities classified under 15-6-156 and ~~wind generation facilities~~ all property classified under 15-6-157;

(ii) property owned by cooperative rural electric and cooperative rural telephone associations and classified under 15-6-135;

(iii) property owned by organizations providing telephone communications to rural areas and classified under 15-6-135;

(iv) railroad transportation property included in 15-6-145;

(v) airline transportation property included in 15-6-145; and

(vi) telecommunications property included in 15-6-156.

(2) Class nine property is taxed at 12% of market value."

Insert: "Section 8. Section 15-6-157, MCA, is amended to read:

"15-6-157. Class fourteen property -- description -- taxable percentage. (1) Class fourteen property includes:

(a) wind generation facilities of a centrally assessed electric power company;

(b) wind generation facilities owned or operated by an exempt wholesale generator or an entity certified as an exempt wholesale generator pursuant to section 32 of the Public Utility Holding Company Act of 1935, 15 U.S.C. 79z-5a;

(c) noncentrally assessed wind generation facilities owned or operated by any electrical energy producer;

(d) wind generation facilities owned or operated by cooperative rural electric associations described under 15-6-137;

(e) all property of a biodiesel production facility, as defined in [section 1];

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- (f) all property of a biogas production facility, as defined in [section 1];
- (g) all property of a biomass gasification facility, as defined in [section 1];
- (h) all property of a coal gasification facility, as defined in [section 1], that sequesters carbon dioxide;
- (i) all property of an ethanol production facility, as defined in [section 1];
- (j) all property of a geothermal facility, as defined in [section 1];
- (k) all property of an integrated gasification combined cycle facility, as defined in [section 1], that sequesters carbon dioxide;
- (l) all property of a renewable energy manufacturing facility, as defined in [section 1];
- (m) all property of a natural gas combined cycle facility;
- (n) equipment that is used to capture and to prepare for transport carbon dioxide that will be sequestered or injected for the purpose of enhancing the recovery of oil and gas;
- (o) all property of electric transmission lines, including substations, that originate at facilities specified in this subsection (1), with at least 90% of electricity carried by the line originating at facilities specified in this subsection (1) and terminating at an existing transmission line or substation;
- (p) all property of pipelines, including pumping and compression equipment, carrying products other than carbon dioxide, that originate at facilities specified in this subsection (1), with at least 90% of the product carried by the pipeline originating at facilities specified in this subsection (1) and terminating at an existing pipeline;
- (q) the qualified portion of a transmission line, including a high voltage direct current transmission line, and its associated equipment and structures, including converter stations and interconnections built after June 30, 2007.
- (2) (a) The qualified portion of a transmission line is that percentage of an electrical transmission line used to transmit power from a generation facility specified in subsection (1).
- (b) The department shall determine the portion of the value of a transmission line that is classified as class fourteen property when the line becomes operational and shall review the classification every 10 years. The classified portion of an electrical transmission line is that percentage of firm carrying capacity of the line to be used by buyers or sellers of electricity generated by a facility specified in subsection (1).
- (c) The owner of property described under this subsection (2) shall apply for classification under this section. The owner shall disclose the location of the generation facilities specified in subsection (1) and information sufficient to demonstrate that there is a contract for firm carrying capacity available continuously throughout the year. The owner is not required to disclose financial terms and conditions of contracts.
- ~~(2)(3)~~ Class fourteen property does not include wind generation facilities:
 - (a) at which the standard prevailing rate of wages for heavy construction, as provided in 18-2-401(13)(a), was not paid during the construction phase; or
 - (b) that are exempt under 15-6-225.
- ~~(3)(4)~~ For the purposes of this section, "wind generation facilities" means any combination of a physically connected wind turbine or turbines, associated prime movers, and other associated property, including appurtenant land and improvements and personal property, that are normally operated together to produce electric power from wind.
- ~~(4)(5)~~ Class fourteen property is taxed at 3% of its market value."

Insert: "NEW SECTION. Section 9. Class fifteen property -- description -- taxable percentage. (1) Class fifteen property includes:

- (a) carbon dioxide pipelines certified by the department of environmental quality for the transportation of carbon dioxide for the purposes of sequestration or for use in closed-loop enhanced oil recovery operations;**
- (b) qualified liquid pipelines certified by the department of environmental quality;**
- (c) carbon sequestration equipment; and**
- (d) equipment used in closed-loop enhanced oil recovery operations.**
- (2) For the purposes of this section, the following definitions apply:**
 - (a) "Carbon dioxide pipeline" means a pipeline that transports carbon dioxide from a plant or facility that produces or captures carbon dioxide to a carbon sequestration point or to a closed-loop enhanced oil recovery operation.**
 - (b) "Carbon sequestration" means the long-term storage of carbon dioxide in geologic formations, including but not limited to deep saline formations, basalt or oil shale formations, depleted oil and gas reservoirs, unmineable**

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coal beds, and closed-loop enhanced oil recovery operations.

(c) "Carbon sequestration equipment" means the equipment used for carbon sequestration, including equipment used to inject carbon dioxide at the carbon sequestration point and equipment used to restrain carbon dioxide in the sequestration location.

(d) "Carbon sequestration point" means the location where the carbon dioxide is to be confined for sequestration.

(e) "Closed-loop enhanced oil recovery operation" means an operation that, after construction, installation, and testing has been completed and the full enhanced oil recovery process has been commenced, injects carbon dioxide to increase the amount of crude oil that can be recovered from a well and retains as much of the injected carbon dioxide as practicable, but not less than 85% of the carbon dioxide injected each year absent catastrophic or unforeseen occurrences.

(f) "Liquid pipeline" means a pipeline that is dedicated to using 100% of its pipeline capacity for transporting fuel or methane gas from a coal gasification facility, biodiesel production facility, biogas production facility, or ethanol production facility.

(g) "Plant or facility that produces or captures carbon dioxide" means a facility that produces a flow of carbon dioxide that can be sequestered or used in a closed-loop enhanced oil recovery operation.

(3) Class fifteen property does not include a carbon dioxide pipeline, liquid pipeline, or closed-loop enhanced oil recovery operation for which, during construction, the standard prevailing wages for heavy construction, as provided in 18-2-401(13)(a), were not paid during the construction phase.

(4) The addition of a carbon dioxide pipeline or closed-loop enhanced oil recovery operation equipment, by themselves, do not subject the assets of any company to central assessment.

(5) Closed-loop enhanced oil recovery operations are to be certified, installed, and operated under the direction and rules of the Montana board of oil and gas conservation. At the time that the determination is made that the oil field that is the subject of the enhanced recovery operation is fully depleted and is to be converted to a carbon dioxide sequestration location, the regulatory control of the operation becomes the responsibility of the department of environmental quality.

(6) Class fifteen property is taxed at 3% of its market value."

Insert: "Section 10. Section 15-6-219, MCA, is amended to read:

"15-6-219. Personal and other property exemptions. The following categories of property are exempt from taxation:

(1) items of personal property with a market value of less than \$100;

~~(1)~~(2) harness, saddlery, and other tack equipment;

~~(2)~~(3) the first \$15,000 or less of market value of tools owned by the taxpayer that are customarily hand-held and that are used to:

(a) construct, repair, and maintain improvements to real property; or

(b) repair and maintain machinery, equipment, appliances, or other personal property;

~~(3)~~(4) all household goods and furniture, including but not limited to clocks, musical instruments, sewing machines, and wearing apparel of members of the family, used by the owner for personal and domestic purposes or for furnishing or equipping the family residence;

~~(4)~~(5) a bicycle, as defined in 61-8-102, used by the owner for personal transportation purposes;

~~(5)~~(6) items of personal property intended for rent or lease in the ordinary course of business if each item of personal property satisfies all of the following:

(a) the acquired cost of the personal property is less than \$15,000;

(b) the personal property is owned by a business whose primary business income is from rental or lease of personal property to individuals and no one customer of the business accounts for more than 10% of the total rentals or leases during a calendar year; and

(c) the lease of the personal property is generally on an hourly, daily, or weekly basis;

~~(6)~~(7) space vehicles and all machinery, fixtures, equipment, and tools used in the design, manufacture, launch, repair, and maintenance of space vehicles that are owned by businesses engaged in manufacturing and launching space vehicles in the state or that are owned by a contractor or subcontractor of that business and that are directly used for space vehicle design, manufacture, launch, repair, and maintenance; and

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~~(7)(8)~~ a title plant owned by a title insurer or a title insurance producer, as those terms are defined in 33-25-105."

Insert: "Section 11. Section 15-30-112, MCA, is amended to read:

"15-30-112. Exemptions. (1) Except as provided in subsection (6), in the case of an individual, the exemptions provided by subsections (2) through (5) must be allowed as deductions in computing taxable income.

(2) (a) An exemption of ~~\$1,900~~ \$2,560 is allowed for all taxpayers.

(b) An additional exemption of ~~\$1,900~~ \$2,560 is allowed for the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the tax year of the taxpayer begins, does not have gross income and is not the dependent of another taxpayer.

(3) (a) An additional exemption of ~~\$1,900~~ \$2,560 is allowed for the taxpayer if the taxpayer has attained the age of 65 before the close of the taxpayer's tax year.

(b) An additional exemption of ~~\$1,900~~ \$2,560 is allowed for the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse has attained the age of 65 before the close of the tax year and, for the calendar year in which the tax year of the taxpayer begins, does not have gross income and is not the dependent of another taxpayer.

(4) (a) An additional exemption of ~~\$1,900~~ \$2,560 is allowed for the taxpayer if the taxpayer is blind at the close of the taxpayer's tax year.

(b) An additional exemption of ~~\$1,900~~ \$2,560 is allowed for the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse is blind and, for the calendar year in which the tax year of the taxpayer begins, does not have gross income and is not the dependent of another taxpayer. For the purposes of this subsection (4)(b), the determination of whether the spouse is blind must be made as of the close of the tax year of the taxpayer, except that if the spouse dies during the tax year, the determination must be made as of the time of death.

(c) For purposes of this subsection (4), an individual is blind only if the person's central visual acuity does not exceed 20/200 in the better eye with correcting lenses or if visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision to an extent that the widest diameter of the visual field subtends an angle no greater than 20 degrees.

(5) (a) An exemption of ~~\$1,900~~ \$2,560 is allowed for each dependent:

(i) whose gross income for the calendar year in which the tax year of the taxpayer begins is less than \$800;

or

(ii) who is a child of the taxpayer and who:

(A) has not attained the age of 19 years at the close of the calendar year in which the tax year of the taxpayer begins; or

(B) is a student.

(b) An exemption is not allowed under this subsection for a dependent who has made a joint return with the dependent's spouse for the tax year beginning in the calendar year in which the tax year of the taxpayer begins.

(c) For purposes of subsection (5)(a)(ii), the term "child" means an individual who is a son, stepson, daughter, or stepdaughter of the taxpayer.

(d) For purposes of subsection (5)(a)(ii)(B), the term "student" means an individual who, during each of 5 calendar months during the calendar year in which the tax year of the taxpayer begins:

(i) is a full-time student at an educational institution; or

(ii) is pursuing a full-time course of institutional on-farm training under the supervision of an accredited agent of an educational institution or of a state or political subdivision of a state. For purposes of this subsection (5)(d)(ii), the term "educational institution" means only an educational institution that normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on.

(6) The department, by November 1 of each year, shall multiply all the exemptions provided in this section by the inflation factor for that tax year and round the product to the nearest \$10. The resulting adjusted exemptions are effective for that tax year and must be used in calculating the tax imposed in 15-30-103."

Insert: "Section 12. Section 15-30-121, MCA, is amended to read:

"15-30-121. Deductions allowed in computing net income. (1) In computing net income, there are allowed as deductions:

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(a) the items referred to in sections 161, including the contributions referred to in 33-15-201(5)(b), and 211 of the Internal Revenue Code, 26 U.S.C. 161 and 211, subject to the following exceptions, which are not deductible:

- (i) items provided for in 15-30-123;
- (ii) state income tax paid;
- (iii) premium payments for medical care as provided in subsection (1)(g)(i);
- (iv) long-term care insurance premium payments as provided in subsection (1)(g)(ii); and
- (v) a charitable contribution using a charitable gift annuity unless the annuity is a qualified charitable gift annuity as defined in 33-20-701;

(b) federal income tax paid within the tax year, not to exceed \$5,000 for each taxpayer filing singly, head of household, or married filing separately or \$10,000 if married and filing jointly;

(c) expenses of household and dependent care services as outlined in subsections (1)(c)(i) through (1)(c)(iii) and (2) and subject to the limitations and rules as set out in subsections (1)(c)(iv) through (1)(c)(vi), as follows:

- (i) expenses for household and dependent care services necessary for gainful employment incurred for:
 - (A) a dependent under 15 years of age for whom an exemption can be claimed;
 - (B) a dependent as allowable under 15-30-112(5), except that the limitations for age and gross income do not apply, who is unable to provide self-care because of physical or mental illness; and
 - (C) a spouse who is unable to provide self-care because of physical or mental illness;
- (ii) employment-related expenses incurred for the following services, but only if the expenses are incurred to enable the taxpayer to be gainfully employed:
 - (A) household services that are attributable to the care of the qualifying individual; and
 - (B) care of an individual who qualifies under subsection (1)(c)(i);
- (iii) expenses incurred in maintaining a household if over half of the cost of maintaining the household is furnished by an individual or, if the individual is married during the applicable period, is furnished by the individual and the individual's spouse;

(iv) the amounts deductible in subsections (1)(c)(i) through (1)(c)(iii), subject to the following limitations:

(A) a deduction is allowed under subsection (1)(c)(i) for employment-related expenses incurred during the year only to the extent that the expenses do not exceed \$4,800;

(B) expenses for services in the household are deductible under subsection (1)(c)(i) for employment-related expenses only if they are incurred for services in the taxpayer's household, except that employment-related expenses incurred for services outside the taxpayer's household are deductible, but only if incurred for the care of a qualifying individual described in subsection (1)(c)(i)(A) and only to the extent that the expenses incurred during the year do not exceed:

- (I) \$2,400 in the case of one qualifying individual;
- (II) \$3,600 in the case of two qualifying individuals; and
- (III) \$4,800 in the case of three or more qualifying individuals;

(v) if the combined adjusted gross income of the taxpayers exceeds \$18,000 for the tax year during which the expenses are incurred, the amount of the employment-related expenses incurred, to be reduced by one-half of the excess of the combined adjusted gross income over \$18,000;

(vi) for purposes of this subsection (1)(c):

- (A) married couples shall file a joint return or file separately on the same form;
- (B) if the taxpayer is married during any period of the tax year, employment-related expenses incurred are deductible only if:

(I) both spouses are gainfully employed, in which case the expenses are deductible only to the extent that they are a direct result of the employment; or

(II) the spouse is a qualifying individual described in subsection (1)(c)(i)(C);

(C) an individual legally separated from the individual's spouse under a decree of divorce or of separate maintenance may not be considered as married;

(D) the deduction for employment-related expenses must be divided equally between the spouses when filing separately on the same form;

(E) payment made to a child of the taxpayer who is under 19 years of age at the close of the tax year and payments made to an individual with respect to whom a deduction is allowable under 15-30-112(5) are not deductible

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as employment-related expenses;

(d) in the case of an individual, political contributions determined in accordance with the provisions of section 218(a) and (b) of the Internal Revenue Code of 1954 (now repealed) that were in effect for the tax year that ended December 31, 1978;

(e) that portion of expenses for organic fertilizer and inorganic fertilizer produced as a byproduct allowed as a deduction under 15-32-303 that was not otherwise deducted in computing taxable income;

(f) contributions to the child abuse and neglect prevention program provided for in 52-7-101, subject to the conditions set forth in 15-30-156;

(g) the entire amount of premium payments made by the taxpayer, except premiums deducted in determining Montana adjusted gross income, or for which a credit was claimed under 15-30-128, for:

(i) insurance for medical care, as defined in 26 U.S.C. 213(d), for coverage of the taxpayer, the taxpayer's dependents, and the parents and grandparents of the taxpayer; and

(ii) long-term care insurance policies or certificates that provide coverage primarily for any qualified long-term care services, as defined in 26 U.S.C. 7702B(c), for:

(A) the benefit of the taxpayer for tax years beginning after December 31, 1994; or

(B) the benefit of the taxpayer, the taxpayer's dependents, and the parents and grandparents of the taxpayer for tax years beginning after December 31, 1996;

(h) light vehicle registration fees, as provided for in 61-3-321(2) and 61-3-562, paid during the tax year; and

(i) per capita livestock fees imposed pursuant to 15-24-921, 15-24-922, 81-6-104, 81-6-204, 81-6-209, 81-7-118, or 81-7-201.

(2) (a) Subject to the conditions of subsection (1)(c), a taxpayer who operates a family day-care home or a group day-care home, as these terms are defined in 52-2-703, and who cares for the taxpayer's own child and at least one unrelated child in the ordinary course of business may deduct employment-related expenses considered to have been paid for the care of the child.

(b) The amount of employment-related expenses considered to have been paid by the taxpayer is equal to the amount that the taxpayer charges for the care of a child of the same age for the same number of hours of care. The employment-related expenses apply regardless of whether any expenses actually have been paid. Employment-related expenses may not exceed the amounts specified in subsection (1)(c)(iv)(B).

(c) Only a day-care operator who is licensed and registered as required in 52-2-721 is allowed the deduction under this subsection (2).

(3) The department, by November 1 of each year, shall multiply the deductions for federal income taxes paid that are allowed in subsection (1)(b) by the ratio of the inflation factor for that tax year to the inflation factor for tax year 2007 and round the product to the nearest \$10. The resulting adjusted deductions are effective for that tax year and must be used in calculating the tax imposed in 15-30-103."

Insert: "Section 13. Section 15-30-142, MCA, is amended to read:

"15-30-142. Returns and payment of tax -- penalty and interest -- refunds -- credits. (1) For both resident and nonresident taxpayers, each single individual and each married individual not filing a joint return with a spouse and having a gross income for the tax year of more than \$3,560, as adjusted under the provisions of subsection (6), and married individuals not filing separate returns and having a combined gross income for the tax year of more than \$7,120, as adjusted under the provisions of subsection (6), are liable for a return to be filed on forms and according to rules that the department may prescribe. The gross income amounts referred to in the preceding sentence must be increased by ~~\$1,900~~ \$2,560, as adjusted under the provisions of 15-30-112(6), for each additional personal exemption allowance that the taxpayer is entitled to claim for the taxpayer and the taxpayer's spouse under 15-30-112(3) and (4).

(2) In accordance with instructions set forth by the department, each taxpayer who is married and living with husband or wife and is required to file a return may, at the taxpayer's option, file a joint return with husband or wife even though one of the spouses has neither gross income nor deductions. If a joint return is made, the tax must be computed on the aggregate taxable income and the liability with respect to the tax is joint and several. If a joint return has been filed for a tax year, the spouses may not file separate returns after the time for filing the return of either has expired unless the department consents.

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(3) If a taxpayer is unable to make the taxpayer's own return, the return must be made by an authorized agent or by a guardian or other person charged with the care of the person or property of the taxpayer.

(4) All taxpayers, including but not limited to those subject to the provisions of 15-30-202 and 15-30-241, shall compute the amount of income tax payable and shall, on or before the date required by this chapter for filing a return, pay to the department any balance of income tax remaining unpaid after crediting the amount withheld, as provided by 15-30-202, and any payment made by reason of an estimated tax return provided for in 15-30-241. However, the tax computed must be greater by \$1 than the amount withheld and paid by estimated return as provided in this chapter. If the amount of tax withheld and the payment of estimated tax exceed by more than \$1 the amount of income tax as computed, the taxpayer is entitled to a refund of the excess.

(5) If the department determines that the amount of tax due is greater than the amount of tax computed by the taxpayer on the return, the department shall mail a notice to the taxpayer as provided in 15-30-323 of the additional tax proposed to be assessed, including penalty and interest as provided in 15-1-216.

(6) By November 1 of each year, the department shall multiply the minimum amount of gross income necessitating the filing of a return by the inflation factor for the tax year. These adjusted amounts are effective for that tax year, and persons who have gross incomes less than these adjusted amounts are not required to file a return.

(7) Individual income tax forms distributed by the department for each tax year must contain instructions and tables based on the adjusted base year structure for that tax year."

Insert: "Section 14. Section 15-35-103, MCA, is amended to read:

"15-35-103. Severance tax -- rates imposed. (1) A severance tax is imposed on each ton of coal produced in the state, ~~in accordance with the~~ Subject to subsection (4), the rate of the tax is determined according to the following schedule:

Heating quality	Surface	Underground
(Btu per pound of coal):	Mining	Mining
Under 7,000	10% of value	3% of value
7,000 and over	15% of value	4% of value

(2) "Value" means the contract sales price.

(3) A person is not liable for any severance tax upon 50,000 tons of the coal that the person produces in a calendar year, except that if more than 50,000 tons of coal are produced in a calendar year, the producer is liable for severance tax upon all coal produced in excess of the first 20,000 tons.

(4) (a) The following production is subject to taxation at a rate that is one-half of the applicable rate established in subsection (1):

(i) the first 20 years of increased production from a new mine if at least 50% of the production of the coal produced by the mine is used in facilities described in 15-6-157(1)(h) or (1)(k);

(ii) the first 20 years of new production of coal produced by an existing mine if the production of coal is used in facilities described in 15-6-157(1)(h) or (1)(k).

(b) In order to qualify for the reduced rate under subsection (4)(a), the taxpayer must apply for the exemption. In order to qualify under subsection (4)(a)(i), the taxpayer must have made an application for a coal strip mine under Title 82, chapter 4, part 1, by June 30, 2017. An application under subsection (4)(a)(ii) must be made prior to June 30, 2027. A qualifying taxpayer is entitled to the reduced rate under this subsection (4) for 20 years after the application is approved.

(c) For the purposes of subsection (4)(a)(ii), new production is production that is in excess of the average production of the mine in the previous 3 years.

(d) (i) An exemption under subsection (4)(a) is effective on the first day of the next fiscal quarter.

(ii) The exemptions under subsections (4)(a)(i) and (4)(a)(ii) continue for the full 20-year term if the number of tons of production necessary to qualify for the exemption in the first year do not decrease."

Insert: "NEW SECTION. Section 15. Codification instruction. (1) [Sections 1 through 3] are intended to be codified as an integral part of Title 15, and the provisions of Title 15 apply to [sections 1 through 3].

(2) [Section 4] is intended to be codified as an integral part of Title 15, chapter 6, part 2, and the provisions of Title 15, chapter 6, part 2, apply to [section 4].

(3) [Section 5] is intended to be codified as an integral part of Title 15, chapter 30, and the provisions of Title 15, chapter 30, apply to [section 5].

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(4) [Section 9] is intended to be codified as an integral part of Title 15, chapter 6, part 1, and the provisions of Title 15, chapter 6, part 1, apply to [section 9]."

Insert: "NEW SECTION. **Section 16. Severability.** If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications."

Insert: "NEW SECTION. **Section 17. Effective dates.** (1) Except as provided in subsection (2), [this act] is effective on passage and approval.

(2) [Sections 1 through 4, 7 through 9, and 14] are effective January 1, 2008."

Insert: "NEW SECTION. **Section 18. Applicability.** (1) Except as provided in subsection (2), [this act] applies retroactively, within the meaning of 1-2-109, to tax years beginning after December 31, 2006.

(2) [Sections 1 through 4, 7 through 9, and 14] apply to tax years beginning after December 31, 2007."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 25**
Report No. 1, April 17, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 25** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 25** (reference copy -- salmon) be amended as follows:

1. Title, line 15.

Following: "MCA;"

Insert: "AND"

2. Title, line 17 through line 18.

Following: "MCA"

Strike: "¿" on line 17 through "DATE" on line 18

3. Page 25, line 16.

Following: "FACILITY."

Insert: "Carbon dioxide captured by a facility or equipment may be sequestered offsite from the facility or equipment."

4. Page 30, line 11.

Strike: section 24 in its entirety

For the House:

Olson, Chairman
Lange

For the Senate:

Laslovich, Chairman
Ryan

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 24**

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Report No. 1, April 16, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 24** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 24** (reference copy -- salmon) be accepted by the House.

For the House:

Klock, Chairman
Groesbeck
Rice

For the Senate:

Lind, Chairman
Kaufmann
Perry

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:
SB 568, introduced by Wanzenried

4/16/2007

House bills returned to the House concurred:

HB 12, introduced by Callahan
HB 63, introduced by Musgrove
HB 95, introduced by Olson
HB 125, introduced by Kasten
HB 680, introduced by Cohenour
HB 27, introduced by Driscoll
HB 148, introduced by Grinde
HB 179, introduced by French
HB 298, introduced by Hiner
HB 461, introduced by Ebinger
HB 473, introduced by Ross
HB 490, introduced by French
HB 556, introduced by McChesney
HB 574, introduced by Hiner
HB 611, introduced by Jacobson
HB 677, introduced by Arntzen
HB 790, introduced by L. Jones

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:4/17/2007

HB 480, introduced by Lake
HB 8, introduced by Kasten
HB 141, introduced by Jacobson
HB 240, introduced by Nooney
HB 278, introduced by Stoker
HB 337, introduced by Cohenour
HB 536, introduced by Becker
HB 678, introduced by Lange
HB 840, introduced by Hilbert

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House amendments to Senate bill concurred in:

4/17/2007

SB 312, introduced by Lind

SB 527, introduced by Gillan

SB 49 - The Senate acceded to the request of the House, dissolved the Conference Committee on Senate amendments to **SB 49**, and authorized the President to appoint the following **Free** Conference Committee to confer on **SB 49**:

4/17/2007

Senator Jent, Chair

Senator Esp

Senator Pease

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 565, introduced by Schmidt, referred to Appropriations.

SB 566, introduced by Hawks, referred to Appropriations.

SB 568, introduced by Wanzenried, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blasdel in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 129 - Representative Butcher moved **SB 129** be concurred in. Motion **failed** as follows:

Ayes: Bergren, Butcher, Caferro, Dickenson, Hamilton, Henry, Hiner, McAlpin, O'Hara, Parker, Raser, Stahl, Ward, Wilson, Wiseman.

Total 15

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wells, Wilmer, Windy Boy, Witte, Mr. Speaker.

Total 85

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 57 - Representative Jopek moved **HJR 57** be adopted. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh,

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Jacobson, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McChesney, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: Campbell, Erickson.

Total 2

SB 131 - Representative Ross moved **SB 131** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Everett, Hawk, Hilbert, Himmelberger, Jayne, Jore, Mendenhall, Milburn, Taylor.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 184 - Representative Rice moved **SB 184** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Hawk, Jore, Koopman, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.

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Total 8

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 413 - Representative Musgrove moved **SB 413** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman.

Total 2

Excused: None.

Total 0

Absent or not voting: Stahl, Thomas.

Total 2

SJR 3 - Representative Cordier moved **SJR 3** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 77

Noes: Beck, Boggio, Butcher, Everett, Hawk, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, O'Hara, Rice, Ripley, Sinrud, Stahl, Stoker, Wells, Witte.

Total 23

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 19 - Representative French moved **SJR 19** be concurred in. Motion carried as follows:

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Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 56

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 44

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Parker, Peterson, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 87

Noes: Jore, Koopman, Rice, Wilson.
Total 4

Excused: None.
Total 0

Absent or not voting: Blasdel, Heinert, MacLaren, O'Hara, Olson, Phillips, Sesso, Sinrud, Villa.
Total 9

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 74**
Report No. 1, April 17, 2007

Mr. President and Mr. Speaker:

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We, your Conference Committee met and considered House amendments to **Senate Bill 74** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 74** (reference copy -- salmon) be amended as follows:

1. Page 3, line 1 through 2.

Strike: "¿" on line 1 through "(A)" on line 2

2. Page 3, line 3.

Following: "PROPERTY"

Strike: "¿ OR"

Insert: "that is designated as a title loan by the department."

3. Page 3, line 4 through line 5.

Strike: subsection (B) in its entirety

For the Senate:

Jent, Chairman
McGee
Moss

For the House:

Mendenhall, Chairman
Keane
Milburn

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 533**
Report No. 1, April 17, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 533** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 533** (reference copy -- salmon) be amended as follows:

1. Page 2, line 4.

Strike: "3.5% "

Insert: "10% "

2. Page 3, line 14.

Strike: "3.5% "

Insert: "10% "

3. Page 3, line 19 through line 20.

Strike: section 2 in its entirety

Renumber: subsequent sections

For the House:

Ankney, Chairman
Lake
Windy Boy

For the Senate:

Harrington, Chairman
Elliott
Story

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Committee Meetings were announced.

Majority Leader Lange announced the House would stand in recess until 3:30 p.m. House recessed at 2:10 p.m.

House reconvened at 3:30 p.m. Mr. Speaker in the chair. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blasdel in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 9 - Senate Amendments - Representative Kasten moved Senate amendments to **HB 9** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Cohenour, Driscoll, Dutton, Everett, Franklin, French, Furey, Glaser, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Raser, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.
Total 69

Noes: Bergren, Bixby, Caferro, Campbell, Cordier, Dickenson, Ebinger, Erickson, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Villa, Wilmer, Wilson, Windy Boy.
Total 31

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 160 - Senate Amendments - Representative Stoker moved Senate amendments to **HB 160** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 96

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Noes: Jore, Koopman, McGillvray.
Total 3

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 304 - Senate Amendments - Representative Furey moved Senate amendments to **HB 304** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 85

Noes: Beck, Boggio, Clark, Hawk, Heinert, Hendrick, L. Jones, Kasten, Lake, Nooney, Peterson, Sinrud, Sonju, Wells.
Total 14

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

HB 678 - Senate Amendments - Representative Blasdel moved consideration of **HB 678** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HB 829 - Senate Amendments - Representative L. Jones moved Senate amendments to **HB 829** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 95

Noes: Driscoll, Jore, Koopman, Sinrud, Mr. Speaker.
Total 5

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 417 - Senate Amendments - Representative Lange moved consideration of **HB 417** be passed for the day. Motion carried.

HB 830 - Senate Amendments - Representative Kasten moved Senate amendments to **HB 830** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 57

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, McChesney, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 43

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 809 - Senate Amendments - Representative Glaser moved Senate amendments to **HB 809** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 100

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 678 - Senate Amendments - Representative Lange moved Senate amendments to **HB 678** be **NOT** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Groesbeck.

Total 1

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 300 - Representative French moved **SB 300** be concurred in.

SB 300 - Representative Keane moved for cloture.

SB 300 - The motion that **SB 300** be concurred in **failed** as follows:

Ayes: Becker, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Hendrick, Henry, Hilbert, Hollenbaugh, Jacobson, W. Jones, Jopek, Kottel, McAlpin, McChesney, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Small-Eastman, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 45

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Himmelberger, Hiner, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Olson, Rice, Ripley, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 55

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Blasdel moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Caferro, Campbell, Clark, Cohenour, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Phillips, Pomnichowski, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 79

Noes: Bergren, Bixby, Branae, Callahan, Cordier, Dickenson, Furey, Gallik, Henry, Hollenbaugh, McAlpin, O'Hara, Parker, Peterson, Raser, Reinhart, Small-Eastman, Van Dyk, Wilson.

Total 19

Excused: None.

Total 0

Absent or not voting: Groesbeck, Hilbert.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 259, as amended by the Governor, passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Glaser, Hawk, Hendrick, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Nooney, Rice, Sinrud, Sonju, Stahl, Stoker, Taylor, Witte, Mr. Speaker.

Total 26

Excused: None.

Total 0

Absent or not voting: Butcher, Dutton, Himmelberger.

Total 3

HJR 47, adopted as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry,

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Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 59

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, Mendenhall, Morgan, Nooney, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 48, adopted as follows:

Ayes: Arntzen, Augare, Becker, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Ankney, Barrett, Bergren, Blasdel, Boggio, Butcher, Caferro, Everett, Hawk, Heinert, Hendrick, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Malcolm, Mendenhall, Morgan, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Wells, Witte, Mr. Speaker.
Total 31

Excused: None.
Total 0

Absent or not voting: Beck, Driscoll.
Total 2

HJR 52, adopted as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 54

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McNutt, Mendenhall, Milburn, Morgan, Olson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 46

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 59, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 80

Noes: Blasdel, Boggio, Caferro, Hawk, Hendrick, Jayne, Jore, Kasten, Kerns, Lake, Lambert, Morgan, Ripley, Ross, Sesso, Taylor, Van Dyk, Ward, Wells, Witte.

Total 20

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 94, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Keane.

Total 1

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SB 128, concurred in as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, Furey, Gallik, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, French, Glaser, Grinde, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Nooney, O'Hara, Olson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 44

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 162 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Ankney, Barrett, Beck, Blasdel, Boggio, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Koopman, Lake, Lambert, Lange, Malcolm, Mendenhall, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 33

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 348 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa,

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Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 95

Noes: Jayne, Jore, Kasten, Koopman, Mr. Speaker.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 382 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 67

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 32

Excused: None.
Total 0

Absent or not voting: Ankney.
Total 1

SB 387 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Barrett, Boggio, Everett, Hawk, Hilbert, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Mendenhall, Nooney, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Ward, Wells, Witte, Mr. Speaker.
Total 26

Excused: None.
Total 0

Absent or not voting: Beck, L. Jones, Van Dyk.

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Total 3

SB 439 concurred in as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Ankney, Barrett, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 38

Excused: None.

Total 0

Absent or not voting: Beck.

Total 1

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 304**, by Representative Furey.

The Speaker appointed the following members:

Representative Furey
Representative Barrett
Representative L. Jones

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 678**, by Representative Lange.

The Speaker appointed the following members:

Representative Lange
Representative Glaser
Representative Windy Boy

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 160**, by Representative Stoker.

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The Speaker appointed the following members:

Representative Stoker
Representative Ripley
Representative Musgrove

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 12**, by Senator Williams.

The Speaker appointed the following members:

Representative Cordier
Representative Butcher
Representative Koopman

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 365**, by Senator Story.

The Speaker appointed the following members:

Representative Barrett
Representative Everett
Representative Jayne

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 404**, by Senator Lind.

The Speaker appointed the following members:

Representative Rice
Representative Ripley
Representative Pomnichowski

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 829**, by Representative L. Jones.

The Speaker appointed the following members:

Representative L. Jones
Representative Barrett
Representative Augare

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 830**, by Representative Kasten.

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The Speaker appointed the following members:

Representative Kasten
Representative Sinrud
Representative Thomas

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 809**, by Representative Glaser.

The Speaker appointed the following members:

Representative Glaser
Representative Wells
Representative Villa

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Wednesday, April 18, 2007. Motion carried.

House adjourned at 4:50 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 18, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Ross. Pledge of Allegiance to the Flag.

Roll Call. All members present except for Representative Wilson, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventy-seventh, seventy-eighth, seventy-ninth, and eightieth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/17/2007

Correctly engrossed: **SB 220**.

Examined by the sponsor and found to be correct: **HB 148, HB 473, HB 179, HB 677, HB 27, HB 790, HB 461**.

Signed by the Chief Clerk of the House at 2:30 p.m., April 17, 2007: **HB 12, HB 63, HB 95, HB 125, HB 139, HB 362, HB 439, HB 522, HB 680**.

Examined by the sponsor and found to be correct: **HB 298, HB 490, HB 556, HB 574, HB 611**. 4/18/2007

Correctly enrolled: **HB 27, HB 179, HB 461, HB 556**.

Signed by the Speaker at 1:15 a.m., April 18, 2007: **HB 12, HB 63, HB 95, HB 125, HB 139, HB 362, HB 439, HB 522, HB 680**.

BUSINESS AND LABOR (Mendenhall, Chairman):

4/18/2007

SB 173, be concurred in. Report adopted.

SB 535, be concurred in. Report adopted.

JUDICIARY (Rice, Chairman):

4/18/2007

SB 142, be concurred in. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gallik in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 61 - Representative Cohenour moved **HJR 61** be adopted. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

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Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 38

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

HB 4 - Senate Amendments - Representative Musgrove moved Senate amendments to **HB 4** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Beck, Blasdel, Heinert, Hilbert, Jore, Koopman, Mendenhall, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 6 - Senate Amendments - Representative Kasten moved Senate amendments to **HB 6** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 92

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Noes: Blasdel, Jore, Koopman, Mendenhall, Sinrud, Sonju, Wells, Mr. Speaker.
Total 8

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 7 - Senate Amendments - Representative Kasten moved Senate amendments to **HB 7** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 91

Noes: Himmelberger, Jore, Kerns, Koopman, McGillvray, Mendenhall, Vincent, Witte, Mr. Speaker.
Total 9

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 8 - Senate Amendments - Representative Kasten moved Senate amendments to **HB 8** be concurred in. Motion, requiring a three-fourths vote of each House, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 93

Noes: Everett, Jore, Mendenhall, Sinrud, Witte, Mr. Speaker.
Total 6

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Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Parker.

Total 1

HB 49 - Senate Amendments - Representative Hamilton moved Senate amendments to **HB 49** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Beck, Blasdel, Boggio, Clark, Dutton, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Mendenhall, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 25

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 141 - Senate Amendments - Representative Jacobson moved Senate amendments to **HB 141** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 75

Noes: Beck, Blasdel, Clark, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Nooney, Rice, Ripley, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 23

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

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Absent or not voting: Hendrick, Sinrud.
Total 2

HB 195 - Senate Amendments - Representative Lange moved Senate amendments to **HB 195** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Everett, Hawk, Koopman.
Total 3

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: Glaser, Sinrud.
Total 2

HB 240 - Senate Amendments - Representative Nooney moved Senate amendments to **HB 240** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Clark, Dutton, Everett, Hawk, Jore, Kerns, Mendenhall, Rice, Sinrud, Mr. Speaker.
Total 10

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: Bergren, Parker.
Total 2

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HB 278 - Senate Amendments - Representative Stoker moved Senate amendments to **HB 278** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 94

Noes: Kasten, Sinrud, Wells, Windy Boy, Witte.

Total 5

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 480 - Senate Amendments - Representative Lake moved Senate amendments to **HB 480** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Furey, Hamilton, Hawk, Hilbert, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Vincent, Ward, Windy Boy, Mr. Speaker.

Total 62

Noes: Augare, Barrett, Bergren, Bixby, Callahan, Campbell, Clark, Cordier, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Himmelberger, Jacobson, Jayne, Keane, Kerns, Kottel, Mendenhall, Ripley, Sesso, Sinrud, Stahl, Van Dyk, Villa, Wells, Wilmer, Wilson, Wiseman, Witte.

Total 37

Voted Absentee: Wilson, No.

Excused: None.

Total 0

Absent or not voting: Dutton.

Total 1

HB 488 - Senate Amendments - Representative Jopek moved Senate amendments to **HB 488** be concurred in. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 68

Noes: Barrett, Beck, Becker, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 32

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 512 - Senate Amendments - Representative L. Jones moved Senate amendments to **HB 512** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 81

Noes: Beck, Blasdel, Dutton, Everett, Heinert, Hilbert, Himmelberger, Jore, Koopman, Lambert, McGillvray, Mendenhall, Milburn, Morgan, Sinrud, Sonju, Taylor, Wells, Mr. Speaker.

Total 19

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 536 - Senate Amendments - Representative Becker moved Senate amendments to **HB 536** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik,

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Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Everett, Franklin, Henry, Jayne, Jore, Koopman, Mendenhall, Sinrud, Wells, Witte, Mr. Speaker.
Total 11

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: Peterson.
Total 1

HB 616 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 616** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy.
Total 74

Noes: Boggio, Cohenour, Dickenson, Dutton, Everett, Hands, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Nooney, O'Hara, Peterson, Sinrud, Stoker, Van Dyk, Wiseman, Witte, Mr. Speaker.
Total 25

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: Himmelberger.
Total 1

HB 823 - Senate Amendments - Representative Small-Eastman moved Senate amendments to **HB 823** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 78

Noes: Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kerns, Koopman, Lake, Lambert, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Sinrud, Ward, Wells, Witte, Mr. Speaker.

Total 22

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 840 - Senate Amendments - Representative Hilbert moved Senate amendments to **HB 840** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Heinert, Jore, Kasten, Kerns, Koopman, Mendenhall, Peterson, Sinrud, Witte, Mr. Speaker.

Total 10

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Sesso.

Total 1

HB 116 - Senate Amendments - Representative Ripley moved Senate amendments to **HB 116** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Clark, Cordier, Dutton, Ebinger, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 63

Noes: Augare, Bergren, Bixby, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hollenbaugh, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

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Total 37

Voted Absentee: Wilson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 436 - Representative Erickson moved **SB 436** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 63

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, McGillvray, Mendenhall, Milburn, Morgan, Olson, Peterson, Rice, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 36

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 550 - Representative Butcher moved **SB 550** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 92

Noes: Blasdel, Hendrick, Jore, Koopman, McGillvray, Taylor, Witte.
Total 7

Voted Absentee: Wilson, Aye.

Excused: None.

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Total 0

Absent or not voting: Jopek.

Total 1

HB 24 - Conference Committee Report No. 1 - Representative Klock moved the Conference Committee report to **HB 24** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Becker, Ingraham, Jore.

Total 3

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Koopman.

Total 1

HB 25 - Conference Committee Report No. 1 - Representative Olson moved the Conference Committee report to **HB 25** be adopted. Motion carried as follows:

Ayes: Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Lake, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, Olson, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stoker, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman, Witte.

Total 71

Noes: Ankney, Arntzen, Augare, Beck, Blasdel, Boggio, Butcher, Dickenson, Gallik, Heinert, Himmelberger, Kasten, Kottel, Lambert, Malcolm, McGillvray, Morgan, O'Hara, Parker, Ross, Sinrud, Sonju, Stahl, Taylor, Thomas, Vincent, Wells, Wilson, Mr. Speaker.

Total 29

Voted Absentee: Wilson, No.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 533 - Conference Committee Report No. 1 - Representative Ankney moved the Conference Committee report to **HB 533** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Gallik, Mendenhall.
Total 2

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 74 - Conference Committee Report No. 1 - Representative Keane moved the Conference Committee report to **SB 74** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 93

Noes: Blasdel, Jore, Kasten, Koopman, Witte, Mr. Speaker.
Total 6

Voted Absentee: Wilson, Aye.

Excused: None.
Total 0

Absent or not voting: Hilbert.
Total 1

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Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Gallik moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jore, Koopman, Mendenhall.

Total 3

Excused: Wilson.

Total 1

Absent or not voting: Groesbeck, Hilbert, Sinrud.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 9 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 86

Noes: Blasdel, Everett, Jore, Koopman, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Wells, Witte, Mr. Speaker.

Total 12

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Sonju, Stahl.

Total 2

HJR 57 adopted as follows:

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Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 43

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Van Dyk.

Total 1

SB 131 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Ankney, Everett, Hawk, Hendrick, Himmelberger, Jayne, Jore, Koopman, Mendenhall, Taylor, Vincent.

Total 11

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Stahl.

Total 1

SB 184 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin,

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McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Butcher, Hawk, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, Lange, Mendenhall, Ripley, Sinrud, Stahl, Taylor, Wells, Witte, Mr. Speaker.

Total 17

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 413 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman.

Total 2

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser.

Total 1

SJR 3 concurred in as follows:

Ayes: Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

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Noes: Ankney, Arntzen, Boggio, Butcher, Everett, Gallik, Hawk, Heinert, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Milburn, O'Hara, Rice, Ripley, Sinrud, Stahl, Stoker, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 29

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 19 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Franklin, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 39

Voted Absentee: Wilson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Sinrud, Chairman):

4/18/2007

SB 8, be concurred in. Report adopted.

SB 25, be concurred in. Report adopted.

SB 65, be concurred in. Report adopted.

SB 104, be concurred in. Report adopted.

SB 127, be amended as follows:

1. Page 1, line 10 through line 12.

Strike: line 10 through line 12 in their entirety

And, as amended, be concurred in. Report adopted.

SB 407, be concurred in. Report adopted.

4/18/2007

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REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 608**
Report No. 1, April 18, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 608** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 608** (reference copy -- salmon) be accepted by the House.

For the House:

Olson, Chairman
Jayne
Wells

For the Senate:

Kaufmann, Chairman
Lewis
Williams

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 668**
Report No. 1, April 18, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 668** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 668** (reference copy -- salmon) be amended as follows:

1. Page 2, line 13.

Following: "INFORMATION"

Insert: ", as defined in 44-5-103,"

2. Page 2, line 14.

Following: "PRACTICE"

Insert: ", but the board may not record or retain any confidential criminal justice information without complying with the provisions of the Montana Criminal Justice Information Act of 1979, Title 44, chapter 5"

For the House:

Stahl, Chairman
Everett
Kottel

For the Senate:

Cocchiarella, Chairman
Squires
Steinbeisser

MESSAGES FROM THE GOVERNOR

April 17, 2007

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EIGHTY-SECOND LEGISLATIVE DAY - APRIL 18, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

On Tuesday, April 17th, I signed the following bills and delivered them to the Secretary of State:

House Bill 35 sponsored by Representative Keane
House Bill 99 sponsored by Representative Olson
House Bill 113 sponsored by Representative McChesney
House Bill 287 sponsored by Representative Wiseman
House Bill 348 sponsored by Representative Keane
House Bill 372 sponsored by Representative Ingraham
House Bill 587 sponsored by Representative Himmelberger
House Bill 617 sponsored by Representative Sinrud
House Bill 629 sponsored by Representative Hamilton
House Bill 657 sponsored by Representative Ebinger
House Bill 782 sponsored by Representative Caferro

Sincerely,

BRIAN SCHWEITZER
Governor

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to House Bill 715**, by Representative Olson, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Olson
Representative Himmelberger
Representative Driscoll

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to House Bill 830**, by Representative Kasten, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Kasten
Representative Sinrud
Representative Thomas

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **House**

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Amendments to Senate Bill 49, by Senator Esp, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Ward
Representative O'Hara
Representative Kottel

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 118**, by Senator Cobb.

The Speaker appointed the following members:

Representative Everett
Representative Wells
Representative Campbell

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **House Amendments to Senate Bill 147**, by Senator Shockley, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Lambert
Representative Vincent
Representative Bixby

There being no objections, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Thursday, April 19, 2007. Motion carried.

House adjourned at 2:05 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-THIRD LEGISLATIVE DAY**

Helena, Montana
April 19, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Dickenson. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/19/2007
Correctly printed: **SB 8, SB 25, SB 65, SB 104, SB 127, SB 142, SB 173, SB 407, SB 535.** 4/18/2007
Signed by the President at 6:05 p.m., April 18, 2007: **HB 12, HB 63, HB 95, HB 125, HB 139, HB 362, HB 439, HB 522, HB 680.**
Correctly enrolled: **HB 9.** 4/19/2007
Examined by the sponsor and found to be correct: **HB 9.**
Delivered to the Governor for signature at 1:30 p.m., April 19, 2007: **HB 12, HB 63, HB 95, HB 125, HB 139, HB 362, HB 439, HB 522, HB 680.**

APPROPRIATIONS (Sinrud, Chairman): 4/19/2007
HJR 46, be adopted. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/18/2007
HB 40, introduced by Gallik
HB 390, introduced by Nooney
HB 406, introduced by Clark
HB 569, introduced by Rice
HB 665, introduced by Arntzen

House joint resolution concurred in and returned to the House: 4/18/2007
HJR 25, introduced by Rice

House bill not concurred in on third reading, and returned to the House: 4/18/2007
HB 826, introduced by McChesney

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/18/2007
HB 39, introduced by McNutt
HB 69, introduced by McNutt
HB 257, introduced by Lake
HB 330, introduced by Bergren
HB 529, introduced by Lake
HB 798, introduced by Lambert
HB 831, introduced by McNutt
HB 833, introduced by Stahl

SB 51 - The Senate failed to concur in House amendments to **SB 51**, authorized the President to appoint the following Free Conference Committee, and requested that the House appoint a like committee to confer on **SB 51**:

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4/19/2007

Senator Hawks, Chair
Senator Laible
Senator Moss

SB 103 - The Senate failed to concur in House amendments to **SB 103**.

Conference Committee Report No.1 adopted:
HB 24, introduced by Klock

4/18/2007

Conference Committee Report No.1 **not** adopted:
HB 533, introduced by Ankney

4/18/2007

HB 304 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 304**:

4/18/2007

Senator Kaufmann, Chair
Senator Lind
Senator Perry

HB 829 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 829**:

4/18/2007

Senator Laslovich, Chair
Senator Black
Senator Juneau

HB 830 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 830**:

4/18/2007

Senator Cooney, Chair
Senator Brueggeman
Senator Schmidt

HB 678 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 678**:

4/18/2007

Senator Gillan, Chair
Senator Elliott
Senator Story

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner,

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Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 89

Noes: Heinert, Jore, Koopman, Malcolm, Mendenhall, Musgrove, Wells, Witte, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: Butcher, Sinrud.

Total 2

HB 6 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Jore, Koopman, Sands, Mr. Speaker.

Total 4

Excused: None.

Total 0

Absent or not voting: Butcher, L. Jones.

Total 2

HB 7 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Jore, Kerns, Koopman, Sinrud, Mr. Speaker.

Total 5

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Excused: None.
Total 0

Absent or not voting: Hawk.
Total 1

HB 8, requiring a three-fourths vote of each house, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Clark, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 93

Noes: Everett, Jore, Koopman, Witte, Mr. Speaker.
Total 5

Excused: None.
Total 0

Absent or not voting: Campbell, Driscoll.
Total 2

HB 49 passed as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Hawk, Heinert, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 29

Excused: None.
Total 0

Absent or not voting: Everett.
Total 1

HB 141 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan,

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Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Blasdel, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Rice, Ripley, Sinrud, Taylor, Wells, Witte, Mr. Speaker.

Total 21

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 195 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Everett, Hawk, Jore, Koopman.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 240 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Barrett, Clark, Everett, Hawk, Jore, Kasten, Kerns, Koopman, Mendenhall, Milburn, Rice, Ripley, Sinrud,

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Mr. Speaker.
Total 14

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 278 passed as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 88

Noes: Blasdel, Heinert, Jore, Koopman, Malcolm, McGillvray, Mendenhall, Sinrud, Wells, Windy Boy, Mr. Speaker.
Total 11

Excused: None.
Total 0

Absent or not voting: Ankney.
Total 1

HB 480 passed as follows:

Ayes: Arntzen, Augare, Beck, Boggio, Branae, Butcher, Caferro, Dutton, Ebinger, Erickson, French, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Windy Boy.
Total 59

Noes: Barrett, Becker, Bergren, Bixby, Blasdel, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Everett, Franklin, Furey, Gallik, Hands, Heinert, Hendrick, Henry, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, Malcolm, McAlpin, McGillvray, Mendenhall, Milburn, Ripley, Van Dyk, Villa, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: Ankney.
Total 1

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HB 488 passed as follows:

Ayes: Ankney, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Arntzen, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 39

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 512 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 93

Noes: Beck, Everett, Jore, Morgan, Sinrud, Wells, Witte.

Total 7

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 536 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 86

Noes: Caferro, Everett, Franklin, Henry, Jayne, Jore, Koopman, Lake, Lange, Mendenhall, Milburn, Wells, Witte, Mr. Speaker.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 616 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Ebinger, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Taylor, Thomas, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy.

Total 70

Noes: Boggio, Cohenour, Dickenson, Dutton, Erickson, Everett, Furey, Hands, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, MacLaren, McGillvray, Mendenhall, Milburn, O'Hara, Peterson, Sinrud, Stoker, Van Dyk, Wiseman, Witte, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 823 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Everett, Hawk, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lake, McGillvray, Mendenhall, Morgan, Peterson, Wells, Mr. Speaker.

Total 14

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 840 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 91

Noes: Bergren, Heinert, Jore, Kasten, Kerns, Koopman, Peterson, Sinrud, Mr. Speaker.
Total 9

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 61 adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 61

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Malcolm, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 39

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 436 concurred in as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart,

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Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Morgan, Peterson, Rice, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 37

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 550 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 81

Noes: Barrett, Beck, Bergren, Blasdel, Clark, Hendrick, Jore, Kasten, Koopman, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Witte.

Total 19

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 24, Conference Committee Report Number 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Gallik, Ingraham.

Total 2

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Excused: None.
Total 0

Absent or not voting: Hamilton.
Total 1

HB 25, Conference Committee Report Number 1, adopted as follows:

Ayes: Becker, Bergren, Bixby, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Lake, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Phillips, Pomnichowski, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Van Dyk, Villa, Ward, Wilmer, Windy Boy, Wiseman.
Total 60

Noes: Ankney, Arntzen, Augare, Barrett, Beck, Blasdel, Boggio, Butcher, Callahan, Dickenson, Everett, Franklin, Gallik, Heinert, Himmelberger, Jore, Kasten, Koopman, Kottel, Lambert, Lange, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Parker, Peterson, Raser, Ripley, Ross, Sinrud, Sonju, Taylor, Thomas, Vincent, Wells, Wilson, Witte, Mr. Speaker.
Total 40

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 533, Conference Committee Report Number 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.
Total 94

Noes: Caferro, Gallik, Hawk, Jore, Koopman, Wiseman.
Total 6

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 74, Conference Committee Report Number 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 88

Noes: Jore, Kasten, Koopman, Lake, Lange, MacLaren, Sonju, Vincent, Witte, Mr. Speaker.

Total 10

Excused: None.

Total 0

Absent or not voting: French, W. Jones.

Total 2

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ankney in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 8 - Representative Stoker moved **SB 8** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Jore.

Total 1

Excused: None.

Total 0

Absent or not voting: Glaser, Himmelberger, Sinrud, Wells, Mr. Speaker.

Total 5

SB 25 - Representative McNutt moved **SB 25** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin,

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French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 94

Noes: Bixby, Jore, Kerns, Koopman.

Total 4

Excused: None.

Total 0

Absent or not voting: Hollenbaugh, Mr. Speaker.

Total 2

SB 65 - Representative Clark moved **SB 65** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 84

Noes: Becker, Bergren, Callahan, Franklin, French, Hands, Henry, Hiner, Musgrove, Noonan, Parker, Phillips, Raser, Sesso, Wilmer, Wilson.

Total 16

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 104 - Representative Sinrud moved **SB 104** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

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Noes: Jayne, Jore.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 127 - Representative Mendenhall moved **SB 127** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 78

Noes: Ankney, Barrett, Beck, Blasdel, Butcher, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Koopman, Lake, Malcolm, McGillvray, Peterson, Rice, Sinrud, Sonju, Wells, Mr. Speaker.
Total 21

Excused: None.
Total 0

Absent or not voting: W. Jones.
Total 1

SB 173 - Representative Augare moved **SB 173** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 69

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Wells, Witte, Mr. Speaker.
Total 30

Excused: None.
Total 0

Absent or not voting: Vincent.
Total 1

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SB 407 - Representative L. Jones moved **SB 407** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 59

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hollenbaugh, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 41

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 535 - Representative Dutton moved **SB 535** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Beck, Blasdel, Boggio, Everett, Hawk, Hendrick, Jore, Koopman, McGillvray, Mendenhall, Olson, Peterson, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 18

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 96 - Senate Amendments - Representative Kerns moved Senate amendments to **HB 96** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley,

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Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Callahan, Campbell, Franklin, Kasten, Mendenhall, Raser, Windy Boy.

Total 7

Excused: None.

Total 0

Absent or not voting: Wilson.

Total 1

HB 131 - Senate Amendments - Representative Sesso moved Senate amendments to **HB 131** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy.

Total 76

Noes: Boggio, Butcher, Clark, Dutton, Everett, Gallik, Hawk, Heinert, Himmelberger, Ingraham, W. Jones, Jore, Kerns, Koopman, Lake, Malcolm, McGillvray, Mendenhall, Morgan, Nooney, Sinrud, Witte, Mr. Speaker.

Total 23

Excused: None.

Total 0

Absent or not voting: Wiseman.

Total 1

HB 337 - Senate Amendments - Representative Cohenour moved Senate amendments to **HB 337** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Barrett, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Ingraham, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Sinrud, Taylor, Vincent, Witte, Mr. Speaker.

Total 24

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 608 - Conference Committee Report No. 1 - Representative Olson moved the Conference Committee report to **HB 608** be adopted. Motion carried as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Boggio, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Wilmer, Wilson, Windy Boy, Wiseman.
Total 64

Noes: Arntzen, Barrett, Beck, Becker, Blasdel, Butcher, Callahan, Everett, Franklin, Glaser, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Sinrud, Stahl, Taylor, Villa, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 36

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 668 - Conference Committee Report No. 1 - Representative Stahl moved the Conference Committee report to **HB 668** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Dutton, Franklin, Gallik, Kerns.
Total 4

Excused: None.
Total 0

Absent or not voting: Ankney.
Total 1

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed.

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Mr. Speaker in the chair. Chairman Ankney moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 90

Noes: Bixby, Himmelberger, Jore, Koopman, Villa, Wells.

Total 6

Excused: None.

Total 0

Absent or not voting: Ankney, Gallik, Mendenhall, Ripley.

Total 4

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 227**
Report No.1, April 18, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 227** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that House amendments to **Senate Bill 227** (reference copy -- salmon) be **REJECTED** by the Senate.

For the Senate:

Laslovich, Chairman
Jent
Shockley

For the House:

Koopman, Chairman
Kerns
Raser

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 12**
Report No. 1, April 19, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 12** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

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And, recommend that **Senate Bill 12** (reference copy -- salmon) be amended as follows:

1. Page 3, line 6 through line 7.

Strike: section 3 in its entirety

Renumber: subsequent section

For the Senate:

Williams, Chairman
Laible
Larson

For the House:

Cordier, Chairman
Butcher

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 121**
Report No. 1, April 19, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 121** (reference copy --salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 121** (reference copy -- salmon) be amended as follows:

1. Title, line 7.

Strike: "ACTIVE OR PASSIVE"

Insert: "INDIVIDUAL INCOME"

2. Title, line 8.

Following: "SERVICES;"

Insert: "ALLOWING THE DEPARTMENT OF REVENUE TO PROVIDE FOR THE FILING OF ELECTRONIC INDIVIDUAL INCOME TAX FORMS;"

3. Page 3, line 10.

Following: "SERVICES"

Insert: "-- filing electronic returns"

4. Page 3, line 10 through line 20.

Strike: "(1)" on line 10 through "RETURN." on line 20

Insert: "The department may not provide electronic individual income tax preparation services. However, the department may provide for the filing of electronic individual income tax forms that include mathematical computations of line items on the electronic forms. The department is encouraged to increase the use of electronic tax filing. This section does not affect the department's responsibilities to provide taxpayer services under 15-1-222."

For the Senate:

Elliott, Chairman
Gebhardt
Gillan

For the House:

Lake, Chairman
Blasdel
Hamilton

CONFERENCE COMMITTEE

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on House Amendments to **Senate Bill 404**
Report No. 1, April 19, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 404** (reference copy --salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 404** (reference copy -- salmon) be amended as follows:

1. Title, line 7.

Following: "CONSERVATION"

Insert: "AND LOCAL GOVERNMENTAL FIRE AGENCIES"

2. Page 2, line 15.

Following: "FOR"

Insert: "state"

3. Page 2, line 18.

Following: "FIREFIGHTER"

Insert: "employed by the department"

4. Page 2, line 20.

Strike: "DIRECTOR HAS SOLE DISCRETION TO"

Insert: "may"

5. Page 2, line 25.

Following: "--"

Insert: "local"

6. Page 2, line 26.

Following: "AGENCY. A"

Insert: "local governmental fire agency shall pay reasonable attorney fees and costs for outside legal counsel to defend a"

Following: "OF A"

Insert: "local"

7. Page 2, line 27.

Following: "AGENCY"

Strike: "MUST" through "FOR"

Insert: "against"

8. Page 2, line 30.

Following: "EMPLOYEE."

Insert: "The local governmental fire agency may determine whether the act or omission of the firewarden, firefighter, or paid or volunteer employee was in good faith and arising from the performance of the employee's duties in a fire or in fire training. The requirement to pay attorney fees and costs does not apply to any postconviction legal proceedings."

9. Page 3, line 5.

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Strike: "[SECTIONS 2 AND 3] ARE"

Insert: "[Section 2] is"

10. Page 3, line 6 through line 7.

Strike: "[SECTIONS 2 AND 3]"

Insert: "[section 2]"

11. Page 3, line 8.

Following: line 7

Insert: "(3) [Section 3] is intended to be codified as an integral part of Title 7, chapter 33, and the provisions of Title 7, chapter 33, apply to [section 3]."

For the Senate:

Lind, Chairman
Jent
Shockley

For the House:

Rice, Chairman
Pomnichowski
Ripley

MOTIONS

Representative Dickenson moved to take **HJR 60** from the table in the Committee on Federal Relations, Energy and Telecommunications, have it printed and placed on second reading on Friday, Legislative Day 84. The motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 53

Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, April 20, 2007. Motion carried.
House adjourned at 2:30 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 20, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative MacLaren. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/20/2007

Signed by the Chief Clerk of the House at 2:50 p.m., April 18, 2007: **HB 27, HB 148, HB 179, HB 298, HB 461, HB 473, HB 490, HB 556, HB 574, HB 611, HB 677, HB 790.**

Correctly printed: **HJR 46.**

4/19/2007

Signed by the Speaker at 11:30 a.m., April 19, 2007: **HB 27, HB 148, HB 179, HB 298, HB 461, HB 473, HB 490, HB 556, HB 574, HB 611, HB 677, HB 790.**

Signed by the Chief Clerk of the House at 12:15 p.m., April 19, 2007: **HB 9.**

Signed by the Speaker at 12:30 p.m., April 19, 2007: **HB 9.**

Signed by the President at 5:10 p.m., April 19, 2007: **HB 9, HB 27, HB 148, HB 179, HB 298, HB 461, HB 473, HB 490, HB 556, HB 574, HB 611, HB 677, HB 790.**

Correctly engrossed: **SB 206.**

4/20/2007

Correctly enrolled: **HB 40, HB 390, HB 406, HB 569, HB 665.**

Examined by the sponsor and found to be correct: **HB 569, HJR 25, HB 406, HB 665, HB 40, HB 390.**

Delivered to the Governor for approval at 3:00 a.m., April 20, 2007: **HB 9, HB 27, HB 148, HB 179, HB 298, HB 461, HB 473, HB 490, HB 556, HB 574, HB 611, HB 677, HB 790.**

APPROPRIATIONS (Sinrud, Chairman):

4/18/2007

SB 206, be amended as follows:

1. Title, line 12.

Strike: "PROVIDING AN APPROPRIATION FOR THE PILOT PROGRAM;"

2. Page 3, line 13 through line 18.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HJR 56, be adopted. Report adopted.

APPROPRIATIONS (Sinrud, Chairman):

4/20/2007

SB 4, be concurred in. Report adopted.

SB 281, be concurred in. Report adopted.

SB 514, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE

HOUSE JOURNAL
EIGHTY-FOURTH LEGISLATIVE DAY - APRIL 20, 2007

on Senate Amendments to **House Bill 687**
Report No. 1, April 19, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 687** (reference copy - salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 687** (reference copy -- salmon) be accepted by the House.

For the House:

W. Jones, Chairman
Campbell
McGillvray

For the Senate:

Gillan, Chairman
Laible
Moss

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/19/2007
HB 515, introduced by Glaser
HB 519, introduced by Kasten

House joint resolution concurred in and returned to the House: 4/19/2007
HJR 28, introduced by Cohenour

Senate joint resolution passed and transmitted to the House for concurrence: 4/19/2007
SJR 27, introduced by Weinberg
SJR 29, introduced by Balyeat
SJR 30, introduced by Smith
SB 31, introduced by Essmann

House amendments to Senate bills concurred in: 4/19/2007
SB 27, introduced by Esp
SB 31, introduced by Esp
SB 41, introduced by Elliott
SB 71, introduced by Gebhardt
SB 89, introduced by Williams
SB 92, introduced by Steinbeisser
SB 100, introduced by Jent
SB 153, introduced by Cocchiarella
SB 165, introduced by Brueggeman
SB 172, introduced by J. Tropila
SB 200, introduced by Lewis
SB 270, introduced by Larson
SB 279, introduced by Balyeat
SB 293, introduced by Laible
SB 386, introduced by Shockley
SB 448, introduced by Wanzenried
SB 540, introduced by Jackson

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SB 544, introduced by Hansen

Conference Committee Report No.1 adopted: 4/19/2007
HB 25, introduced by Olson

Conference Committee Report No.1 adopted: 4/20/2007
SB 74, introduced by Jent

HB 160 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 160**: 4/20/2007

Senator Wanzenried, Chair
Senator Hawks
Senator Laible

HB 715 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 715**: 4/20/2007

Senator Wanzenried, Chair
Senator Gebhardt
Senator Lind

HB 809 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 809**: 4/20/2007

Senator Hawks, Chair
Senator Lewis
Senator Wanzenried

SB 103 - The Senate failed to concur in House amendments to **SB 103**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 103**: 4/20/2007

Senator Lind, Chair
Senator Gebhardt
Senator Hawks

HB 547 - The Senate acceded to the request of the House, dissolved the Conference Committee on Senate amendments to **HB 547**, and authorized the President to appoint the following **Free** Conference Committee to confer on **HB 547**: 4/20/2007

Senator Laslovich, Chair
Senator Moss
Senator Perry

SB 276 - The Senate failed to concur in House amendments to **SB 276**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 276**: 4/19/2007

Senator Steinbeisser, Chair
Senator Larson
Senator M. Tropila

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SB 316 - The Senate failed to concur in House amendments to **SB 316**.

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 27, introduced by Weinberg, referred to Appropriations.

SJR 29, introduced by Balyeat, Cocchiarella, Lewis, Brown, J. Tropila, Smith, Jackson, Steinbeisser, Barkus, Larson, Squires, Weinberg, Stahl, Keane, Mendenhall, referred to Business and Labor.

SJR 30, introduced by Smith, Cocchiarella, Ryan, Brown, J. Tropila, Jackson, Steinbeisser, Larson, referred to Business and Labor.

SJR 31, introduced by Essmann, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wilmer in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Senate Amendments - Representative Franklin moved Senate amendments to **HB 3** be concurred in. Motion carried as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Heinert, Hendrick, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 - Senate Amendments - Representative McNutt moved Senate amendments to **HB 39** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson,

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Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Jayne, Jore, Kerns, Koopman, McGillvray, Mendenhall, Rice, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 20

Excused: None.

Total 0

Absent or not voting: L. Jones.

Total 1

HB 69 - Senate Amendments - Representative McNutt moved Senate amendments to **HB 69** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 91

Noes: Blasdel, Everett, Ingraham, Jayne, Jore, Koopman, Mendenhall, Taylor, Mr. Speaker.

Total 9

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 330 - Senate Amendments - Representative Bergren moved Senate amendments to **HB 330** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman.

Total 85

Noes: Everett, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Morgan, Peterson, Rice, Wells, Witte, Mr. Speaker.

Total 14

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Excused: None.
Total 0

Absent or not voting: Windy Boy.
Total 1

HB 592 - Senate Amendments - Representative Wilson moved Senate amendments to **HB 592** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 97

Noes: Jore, McGillvray, Witte.
Total 3

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 257 - Representative Lake moved consideration of **HB 257** be placed at the bottom of the second reading board. There being no objections, so ordered.

HB 529 - Senate Amendments - Representative Lake moved Senate amendments to **HB 529** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Pomnichowski, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.
Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.
Total 47

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wilmer moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Hands, Hawk, Heinert, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 81

Noes: Bergren, Bixby, Cordier, Furey, Groesbeck, Hamilton, Hendrick, Henry, Jore, Keane, Koopman, Mendenhall, Musgrove, Parker, Raser, Wells.

Total 16

Excused: None.

Total 0

Absent or not voting: Sinrud, Small-Eastman, Wilmer.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 96 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Callahan, Campbell, Franklin, Gallik, Jore, Kasten, Mendenhall, Raser, Villa.

Total 9

Excused: None.

Total 0

Absent or not voting: Sinrud, Small-Eastman.

Total 2

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HB 131 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Kasten, Keane, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sonju, Stahl, Stoker, Thomas, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 78

Noes: Blasdel, Boggio, Butcher, Dutton, Everett, Hawk, Himmelberger, Ingraham, W. Jones, Jore, Kerns, Lake, McGillvray, Nooney, Rice, Sinrud, Taylor, Van Dyk, Villa, Wells, Witte.

Total 21

Excused: None.

Total 0

Absent or not voting: Small-Eastman.

Total 1

HB 608, Conference Committee Report No. 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ross, Sands, Sesso, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 72

Noes: Barrett, Blasdel, Butcher, Callahan, Everett, Franklin, Glaser, Hawk, Heinert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Raser, Rice, Ripley, Sinrud, Sonju, Taylor, Witte, Mr. Speaker.

Total 27

Excused: None.

Total 0

Absent or not voting: Small-Eastman.

Total 1

HB 668, Conference Committee Report No. 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells,

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Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Dutton, Gallik, Jore, Kerns, Koopman.
Total 5

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 8 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 94

Noes: Jore, Koopman, Lange, Nooney, Witte.
Total 5

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 25 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 96

Noes: Jore, Kerns, Koopman.
Total 3

Excused: None.
Total 0

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Absent or not voting: Small-Eastman.
Total 1

SB 65 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Hendrick, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 90

Noes: Becker, Callahan, Franklin, Hands, Henry, Hilbert, Musgrove, Raser, Sesso.
Total 9

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

SB 104 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jayne, Jore.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 127 concurred in as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson,

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Jayne, L. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte.

Total 83

Noes: Ankney, Butcher, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Koopman, Lange, McGillvray, Nooney, Peterson, Ross, Wells, Windy Boy, Mr. Speaker.

Total 17

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 68

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Vincent, Wells, Witte.

Total 31

Excused: None.

Total 0

Absent or not voting: MacLaren.

Total 1

SB 407 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Cordier, Everett, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Peterson, Phillips, Rice, Ripley, Ross, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 62

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Jacobson, Jayne, Kottel, McAlpin, Musgrove, Parker, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy.

Total 38

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 535 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 80

Noes: Blasdel, Boggio, Everett, Hawk, Hendrick, Jore, Kasten, Keane, Koopman, Lake, McGillvray, Mendenhall, Milburn, Ripley, Sesso, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Speaker Sales announced the House would stand in recess until 2:00. Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease. House recessed at 1:40 p.m.

House resumed at 2:20 p.m. Speaker in the chair. Quorum present.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wilmer in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 46 - Representative Sands moved **HJR 46** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju,

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Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Ankney, Boggio, Butcher, Everett, Hawk, Jore, Kasten, Koopman, Mendenhall, Milburn, Morgan, Sinrud, Wells, Witte, Mr. Speaker.
Total 15

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Bergren assumed the chair.

SB 411 - Representative Gallik moved **SB 411** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 87

Noes: Barrett, Everett, Hawk, Jayne, Jore, Kerns, Mendenhall, Rice, Ripley, Stahl, Vincent, Wells, Mr. Speaker.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 16 - Representative Wilmer moved **SJR 16** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Koopman, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 70

Noes: Arntzen, Barrett, Beck, Boggio, Driscoll, Dutton, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Lake, Lange, Malcolm, McGillvray, Mendenhall, Peterson, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 28

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Excused: None.
Total 0

Absent or not voting: Glaser, Milburn.
Total 2

Representative Wilmer assumed the chair.

HB 687 - Conference Committee Report No. 1 - Representative W. Jones moved the Conference Committee report to **HB 687** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 78

Noes: Beck, Blasdel, Everett, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Wells, Mr. Speaker.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 12 - Conference Committee Report No. 1 - Representative Raser moved the Conference Committee report to **SB 12** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Boggio, Himmelberger, Jore, Koopman, McGillvray, Mendenhall, Wilmer.
Total 7

Excused: None.
Total 0

Absent or not voting: Jayne.
Total 1

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SB 121 - Conference Committee Report No. 1 - Representative Lake moved the Conference Committee report to **SB 121** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jore, Koopman.

Total 2

Excused: None.

Total 0

Absent or not voting: Peterson, Stahl.

Total 2

SB 227 - Conference Committee Report No. 1 - Representative Peterson moved consideration of **SB 227** be passed for the day. Motion carried.

SB 404 - Conference Committee Report No. 1 - Representative Stoker moved the Conference Committee report to **SB 404** be adopted. Motion, requiring a two-thirds vote, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 86

Noes: Becker, Blasdel, Everett, Hawk, Jayne, Jore, Kasten, Keane, Kerns, Koopman, McGillvray, Mendenhall, Taylor, Witte.

Total 14

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 - Senate Amendments - Representative Lake moved Senate amendments to **HB 257** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Henry, Jore, Koopman, Mendenhall.

Total 4

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 798 - Senate Amendments - Representative Lambert moved Senate amendments to **HB 798** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Furey, Jore, Koopman, Mendenhall, Villa, Wells.

Total 6

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wilmer moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Kerns, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilson,

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Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Groesbeck, Jore, Keane, Koopman.
Total 4

Excused: None.
Total 0

Absent or not voting: Klock, Sinrud, Wilmer.
Total 3

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Mendenhall, Chairman):

4/20/2007

HJR 62, be adopted. Report adopted.

SB 524, be amended as follows:

1. Page 2, line 7.

Strike: "ANY" on page 2, line 7 through "CODE" on line 7

Insert: "licensed retailers if the brewer uses the brewer's own equipment, trucks, and employees to deliver the beer and if:

(A) individual deliveries, other than draught beer, are limited to the case equivalent of 8 barrels a day to each licensed retailer; and

(B) the total amount of beer sold or delivered directly to all retailers does not exceed 10,000 barrels a year"

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 49**

Report No. 1, April 20, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 49** (reference copy --salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 49** (reference copy -- salmon) be amended as follows:

1. Page 5, line 11.

Strike: ", WITHOUT THE SCHOOL'S PERMISSION,"

2. Page 5.

Following: line 16

Insert: "(3) If the child was subject to formal disciplinary action, including suspension or expulsion, at the child's previous school, the school in which the child is to be enrolled may require the child to comply with a behavior contract as a condition of enrollment."

Renumber: subsequent subsection

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For the Senate:

Jent, Chairman
Esp
Pease

For the House:

Ward, Chairman
Kottel
O'Hara

FREE CONFERENCE COMMITTEE
on **Senate Bill 147**
Report No. 1, April 19, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 147** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 147** (reference copy -- salmon) be amended as follows:

1. Title, line 5 through line 10.

Strike: "ALLOWING" on line 5 through "CIRCUMSTANCES;" on line 10

2. Title, line 12 through line 14.

Strike: "CLARIFYING" on line 12 through "FISHING;" on line 14

3. Title, line 14 through line 15.

Strike: "SECTIONS 10-3-104," on line 14

Insert: "SECTION"

Strike: "AND" on line 14 through "87-3-106," on line 15

4. Page 1, line 19 through page 2, line 5.

Strike: sections 1 and 2 in their entirety

Renumber: subsequent sections

5. Page 2, following line 14.

Insert: "(4) (a) An entity that is conducting official business, an entity having actual residence as a permanent or principal place of abode in the designated area, or an entity engaged in employment that does not present a fire hazard must be allowed ingress and egress unless there is a significant risk to human health or safety.

(b) For the purposes of this section, "official business" includes but is not limited to the functions of governmental agencies and the activities of utilities, cooperatives, and telecommunications providers to operate, construct, repair, and maintain utility facilities that are essential to the public."

6. Page 2, line 16 through page 3, line 4.

Strike: section 4 in its entirety

Renumber: subsequent sections

7. Page 3, line 13.

Following: "disaster area"

Strike: ", "

Insert: "and"

8. Page 3, line 14.

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Following: "within the area"

Strike: ", and the occupancy " through "area"

9. Page 3, line 15.

Following: "(2)"

Strike: "The"

Insert: "Subject to [section 1(4)(a)], the"

10. Page 3, line 18 through page 3, line 30.

Strike: section 6 in its entirety

Renumber: subsequent sections

11. Page 4, line 2 through line 4.

Strike: subsection (1) in its entirety

12. Page 4, line 5.

Strike: "(2)"

Following: "Section"

Strike: "3"

Insert: "1"

13. Page 4, line 6.

Following: "section"

Strike: "3"

Insert: "1"

For the Senate:

Juneau, Chairman

Hawks

Shockley

For the House:

Lambert, Chairman

Bixby

Vincent

FREE CONFERENCE COMMITTEE
on **Senate Bill 365**
Report No. 1, April 20, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 365** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 365** (reference copy -- salmon) be amended as follows:

1. Page 1, line 15.

Strike: "DAILY"

2. Page 1, line 16.

Following: "record"

Insert: ", unless a different recording schedule is ordered by the district judge,"

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For the Senate:

Story, Chairman
Hansen
M. Tropila

For the House:

Barrett, Chairman
Everett
Jayne

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/20/2007

SB 48, introduced by Esp
SB 192, introduced by Essmann
SB 213, introduced by Cobb
SB 253, introduced by Cooney
SB 284, introduced by Moss
SB 324, introduced by Jackson
SB 354, introduced by Lind
SB 379, introduced by Laslovich
SB 419, introduced by Lind
SB 433, introduced by Laslovich
SB 439, introduced by Elliott
SB 478, introduced by Weinberg
SB 491, introduced by Moss
SB 492, introduced by Gebhardt

SB 316 - The Senate failed to concur in House amendments to **SB 316**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 316**:

4/20/2007

Senator Elliott, Chair
Senator Harrington
Senator J. Peterson

SB 393 - The Senate failed to concur in House amendments to **SB 393**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 393**:

4/23/2007

Senator Gillan, Chair
Senator Laslovich
Senator Shockley

SB 118 - The Senate acceded to the request of the House, dissolved the Conference Committee on Senate amendments to **SB 118**, and authorized the President to appoint the following **Free** Conference Committee to confer on **SB 118**:

4/20/2007

Senator Cobb, Chair
Senator Laslovich
Senator Wanzenried

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HB 829 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 829**:

4/20/2007

Senator Laslovich, Chair
Senator Black
Senator Juneau

HB 830 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 830**:

4/20/2007

Senator Cooney, Chair
Senator Brueggeman
Senator Schmidt

Conference Committee Report No.1 adopted:
HB 668, introduced by Stahl

4/20/2007

Conference Committee Report No.1 adopted:
HB 608, introduced by Olson

4/20/2007

Conference Committee Report No.1 adopted:
HB 533, introduced by Ankney

4/20/2007

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 116**, by Representative Ripley.

The Speaker appointed the following members:

Representative Ripley
Representative Witte
Representative Jore

Representative Bergren objected to the appointment of Representative Jore to the Conference Committee.
Representative Noonan objected to the appointment of Representative Jore to the Conference Committee.

The motion to accept the appointment of Representative Jore to the Conference Committee carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

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Excused: None.
Total 0

Absent or not voting: MacLaren.
Total 1

Majority Leader Lange moved that the Speaker be authorized to dissolve the **Free** Conference Committee on **Senate Amendments to House Bill 160**, by Representative Stoker, and to appoint a new Conference Committee.

The Speaker appointed the following members:

Representative Stoker
Representative Ripley
Representative Musgrove

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 337**, by Representative Cohenour.

The Speaker appointed the following members:

Representative Wells
Representative Kerns
Representative Cohenour

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 529**, by Representative Lake.

The Speaker appointed the following members:

Representative Lake
Representative Taylor
Representative Pomnichowski

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 592**, by Representative Wilson.

The Speaker appointed the following members:

Representative McGillvray
Representative Klock
Representative Wilson

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the **Free** Conference Committee on **Senate Amendments to House Bill 809**, by Representative Glaser, and to appoint a new Conference Committee.

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The Speaker appointed the following members:

Representative Glaser
Representative Wells
Representative Villa

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the **Free** Conference Committee on **Senate Amendments to House Bill 830**, by Representative Kasten, and to appoint a new Conference Committee.

The Speaker appointed the following members:

Representative Kasten
Representative Sinrud
Representative Thomas

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 51**, by Senator Hawks.

The Speaker appointed the following members:

Representative Koopman
Representative Vincent
Representative Dickenson

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 103**, by Senator Lind.

The Speaker appointed the following members:

Representative Ripley
Representative Stahl
Representative McChesney

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a **Free** Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 276**, by Senator Steinbeisser.

The Speaker appointed the following members:

Representative Mendenhall
Representative Boggio
Representative Reinhart

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **House Amendments to Senate Bill 547**, by Representative Kasten, and to appoint a new **Free** Conference Committee.

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The Speaker appointed the following members:

Representative Sinrud
Representative Morgan
Representative Parker

There being no objections, so ordered.

Representative McChesney moved to take **SB 432** from the table in the Committee on Transportation, be printed and placed on second reading on Legislative Day 85.

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Kottel, McAlpin, McChesney, McNutt, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Excused: None.
Total 0

Absent or not voting: MacLaren.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 5:00 p.m., Monday, April 23, 2007.
Representative Bergren and Representative Noonan objected.

The motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy

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Boy, Wiseman.
Total 49

Excused: None.
Total 0

Absent or not voting: None.
Total 0

House adjourned at 3:40 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
April 23, 2007

House Chambers
State Capitol

House convened at 5:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Noonan. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ross, excused. Quorum present.

Mr. Speaker introduced the pages for the week:

Pages:

Molly Jurenka, Hingham
Stacy Clark, Moore
Bethany Cordell, East Helena
Duran Caferro, Helena
Kelsey Kasten, Circle
Rebecca Hitch, Butte

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/20/2007

Correctly printed: **HJR 56, HJR 62, SB 4, SB 281, SB 514.**

Correctly enrolled: **HB 131, HB 259.**

Correctly engrossed: **SB 524**

Correctly enrolled: **HB 4, HB 6, HB 7, HB 8, HB 24, HB 25, HB 49, HB 96, HB 141, HB 195, HB 240, HB 278, HB 480, HB 488, HB 512, HB 536, HB 608, HB 616, HB 688, HB 823, HB 840.**

Examined by the sponsor and found to be correct: **HB 24, HB 259, HB 608, HJR 28, HB 4, HB 6, HB 7, HB 8, HB 49, HB 96, HB 131, HB 141, HB 195, HB 240, HB 278, HB 480, HB 488, HB 512, HB 536, HB 616, HB 668, HB 840.**

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 118**

Report No. 1, April 23, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 118** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 118** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Following: "MCA"

Strike: "; REPEALING"

Insert: ", AND"

2. Title, line 8.

Following: "DATE"

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Insert: "AND A TERMINATION DATE"

3. Page 2, line 11.

Following: "2008;"

Insert: "and"

4. Page 2, lines 12 through 14.

Strike: "between" on line 12

Insert: "beginning"

Following: "2009" on line 12

Strike: ", and" on line 12 through "day" on line 15

5. Page 3, line 13 through line 17.

Strike: sections 4 and 5 in their entirety

Insert: "**Section 4.** Section 20, Chapter 390, Laws of 2003, is amended to read:

"Section 20. Termination. [This act] terminates June 30, ~~2005~~ 2009."

Insert: "**Section 5.** Section 4, Chapter 606, Laws of 2005, is amended to read:

"Section 4. Section 20, Chapter 390, Laws of 2003, is amended to read:

"Section 20. Termination. [This act] terminates June 30, ~~2005~~ 2007 2009."

Insert: "**Section 6.** Section 7, Chapter 606, Laws of 2005, is amended to read:

"Section 7. Termination. [This act] terminates June 30, ~~2007~~ 2009."

Renumber: subsequent section

6. Page 3.

Following: line 19

Insert: "NEW SECTION. **Section 8. Termination.** [Sections 1 through 3] terminate June 30, 2009."

For the Senate:

Cobb, Chairman
Laslovich
Wanzenried

For the House:

Everett, Chairman
Campbell
Wells

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/21/2007

SB 342, introduced by Squires

SB 363, introduced by Kaufmann

SB 384, introduced by Wanzenried

SB 424, introduced by Moss

SB 449, introduced by Gillan

SB 489, introduced by Gillan

SB 505, introduced by Squires

SJR 3, introduced by Weinberg

SJR 12, introduced by Brueggeman

SJR 15, introduced by Gillan

SJR 25, introduced by J. Peterson

Senate joint resolution passed and transmitted to the House for concurrence:

4/21/2007

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SJR 28, introduced by Hawks

House bill concurred in and returned to the House: 4/21/2007
HB 155, introduced by Noonan

House bills not concurred in and returned to the House: 4/21/2007
HB 610, introduced by Keane
HB 637, introduced by Klock

SB 25 - The Senate failed to concur in House amendments to **SB 25**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 25**: 4/21/2007

Senator Larson, Chair
Senator Kaufmann
Senator Lewis

SB 550 - The Senate failed to concur in House amendments to **SB 550**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 550**: 4/21/2007

Senator Juneau, Chair
Senator Laible
Senator M. Tropila

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in the Governor's amendments: 4/21/2007
SB 168, introduced by Jent

Conference Committee No. 1 Reports adopted: 4/21/2007
HB 687, introduced by W. Jones
SB 12, introduced by Williams
SB 121, introduced by Elliott
SB 404, introduced by Lind

HB 116 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 116**: 4/21/2007

Senator Wanzenried, Chair
Senator Laible
Senator M. Tropila

HB 337 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 337**: 4/21/2007

Senator Harrington, Chair
Senator Gebhardt
Senator Kitzenberg

HB 529 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 529**: 4/21/2007

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Senator Elliott, Chair
Senator Gebhardt
Senator Kaufmann

HB 592 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 592:**
4/21/2007

Senator Schmidt, Chair
Senator Steinbeisser
Senator M. Tropila

MESSAGES FROM THE GOVERNOR

April 23, 2007

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Cooney and Speaker Sales:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments Senate Bill (SB) 27, "AN ACT CLARIFYING THE RIGHT OF A GRANDPARENT TO HAVE CONTACT WITH A GRANDCHILD IN LIGHT OF DECISIONS BY THE U.S. SUPREME COURT AND THE MONTANA SUPREME COURT; AMENDING SECTION 40-9-102, MCA; AND PROVIDING AN APPLICABILITY DATE."

SB 27 amends the current statute establishing the standards to be applied by a court when a grandparent petitions for contact with a grandchild. The genesis of the bill was a 2006 decision by the Montana Supreme Court, which set forth the steps a court must take in reviewing a petition for grandparent-grandchild contact. My proposed amendment is intended to establish a standard for use by the courts that puts greater focus on the best interests of the child when faced with these difficult questions.

My proposed amendment incorporates the language used by the Montana Supreme Court in *Polasek v. Omura*, 2006 MT 103, ¶ 15 to determine parental "fitness." In that case, the Court stated that a district court must "first inquire whether the child's parent is fit; that is, the court must determine whether the parent 'adequately cares for his or her children.'" My proposed amendment incorporates this standard for parental fitness in the context of grandparent-grandchild rights being addressed in the bill. If the parent is "fit," i.e., "adequately cares for his or her child," a grandparent must overcome, by clear and convincing evidence, the presumption that the parent's wishes are in the best interests of the child, as required in *Polasek*.

My concern with the bill as delivered to me is that the standard for determining parental fitness was taken from parental termination proceedings, and that standard is inappropriate in these grandparent-grandchild contact cases. Most important, the standard contained in the bill delivered to me may not really be in the child's "best interests." In these difficult cases, involving disputes between family members of multiple generations, our mutual goal should

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always be the “best interests of the child.”

I have discussed my proposed amendment with the sponsor of the bill, Senator Esp, and he has indicated his support. A copy of the amendment is attached to this letter for your consideration

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

April 20, 2007

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

Dear President Cooney and Speaker Sales:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill (SB) 465, “AN ACT EXEMPTING THE STATE COMPENSATION INSURANCE FUND AND ITS BOARD OF DIRECTORS FROM THE MONTANA ELECTRONIC GOVERNMENT SERVICES ACT AND CERTAIN PROVISIONS OF THE MONTANA INFORMATION TECHNOLOGY ACT; AMENDING SECTIONS 2-17-506, 2-17-513, 2-17-516, AND 2-17-532, MCA; AND PROVIDING AN EFFECTIVE DATE.”

In 2001, the Montana Legislature passed the Montana Information Technology Act, because it recognized the importance of information technology (IT) in the 21st century. The 2001 Legislature recognized that information technology - hardware, software, and associated services and infrastructure – has become a key component of any large organization’s infrastructure, and the State of Montana is no exception. Montana citizens - taxpayers, licensees, business people, benefit recipients - depend on the state’s IT to be operational and efficient. The 2001 Legislature recognized the importance by declaring the state’s policy “that information technology be used to improve the quality of life of Montana citizens by providing educational opportunities, creating quality jobs and a favorable business climate, improving government, and protecting individual privacy and the privacy of the information contained within information technology systems.” Mont. Code Ann. § 2-17-505(1).

The central purpose of the Montana Information Technology Act (“MITA”) is to establish centralized management and control of information technology for the State of Montana and its agencies. The state policy, MITA continues, is that the “development of information technology resources in the state must be conducted in an organized, deliberative, and cost-effective manner.” Mont. Code Ann. § 2-17-505(2).

The Montana Information Technology Act sets high standards for the delivery of the state’s information technology. MITA declares that the Department of Administration, in providing IT services, “must be accountable to the governor, the legislature, and the citizens of Montana.” Mont. Code Ann. § 2-17-505(3). The Chief Information Officer is an appointed position and is accountable for the delivery of an efficient IT system that Montanans need and demand. As

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Governor, I not only expect that the state's computers will operate effectively and efficiently so that the state can deliver its services to the people of Montana, I accept that as head of the executive branch of government, my Administration will be held accountable if it does not.

The Montana Information Technology Act was crafted by a legislative interim committee, which devoted two years to studying how to improve the delivery of information technology in state government. Prior to passage of MITA in 2001, Montana's information technology system was fragmented and prone to failures. Many of you recall the POINTS debacle, in which the State of Montana wasted a minimum of \$35 million contracting for a computer system for the Department of Revenue that was never delivered. Some estimate the loss to the State closer to \$60 million. This unfortunate experience was a major reason for the planning and procurement controls and oversight established in MITA.

The 2001 Legislature determined that oversight of state government's information technology should be consolidated under one roof. SB 131, sponsored by Sen. Mike Taylor by request of the Legislative Finance Committee, passed the 2001 Legislature with only one dissenting vote. The interim committee recommended that all executive branch agencies except those then excluded from governance by the Department of Administration come within the provisions of MITA.

As recently as November of 2005, the Legislative Auditor completed an audit of the enterprise IT management responsibilities of the Department of Administration. The auditors considered the legislative intent of MITA and discussed the many benefits of having one agency manage and lead the direction of IT. The audit report recommended the Department be more proactive in exerting centralized management and control, as required under the statutes. The Department, the Chief Information Officer, and the Governor's Office of Budget and Program Planning have worked diligently to implement the audit recommendations.

This legislative session, the State Fund came to you asking to be segregated from the planning and procurement controls of MITA. The State Fund is an agency in the executive branch of government subject to laws applicable to all other state agencies. The State Fund has presented its case that it is different than other state agencies, because it competes for business with the private sector and must operate like an insurance company.

The fatal flaw with the State Fund's argument is that every agency of government can make its case for being unique. The Department of Public Health and Human Services could argue that the confidentiality requirements of HIPAA (the Health Insurance Portability and Accountability Act) demand its own individualized information technology system. The Department of Revenue could argue that the need for an efficient tax system and the requirements for confidentiality of state taxpayer information under both state and federal law demand it be exempted from centralized management and control. The Department of Justice could demand that its criminal justice information warrants that it be segregated from the unified IT system.

The State Fund is the first state agency to request the legislature exempt it from MITA, based on its argument that its needs are special. SB 465 represents the first challenge to Montana's effort to establish a comprehensive, integrated IT strategy that promotes sound business management practices. Exempting the State Fund from MITA would set a dangerous precedent. If the legislature capitulates to this first effort, other agencies soon will follow. SB 465 will be the first chink in the determination made by the legislature a mere six years ago that what is best for Montana is an enterprise approach to IT management, control, and shared services.

Notable, too, is that, as enacted, MITA anticipated that there will be occasions when exceptions to the unified system may be appropriate, and MITA, itself, provides a mechanism for granting exceptions. The Act provides that "if it is in the best interests of the state," the Department of Administration may grant exceptions to any part of the state's information technology requirements. Mont Code Ann. § 2-17-515. Legislative oversight to the granting of exceptions is provided under statute. See 2-17-515 and 5-12-205. Therefore, statutorily exempting the State Fund from MITA, as proposed in SB 465, is inconsistent with the process established for the granting of exceptions already

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contained in MITA.

Prior to the 2007 legislative session, the Department of Administration attempted to negotiate with the State Fund pursuant to the provisions of 2-17-515. Rather than continuing to seek to resolve its differences pursuant to the statutory mechanism, the State Fund instead chose to seek an outright exemption from the IT laws by promoting SB 465. I can assure you that if my veto is sustained, the Department of Administration will continue to work with the State Fund within the existing statutory provisions to address and resolve the concerns of the State Fund.

Finally, I do not want to leave you with any false impressions. Computer systems are not foolproof. They can and do crash. You may have heard about two computer outages to the state's system that occurred in the last couple of years as justification for SB 465. The State Fund, too, suffered its own outage in 2006, when the State Fund installed a new switch on equipment under its control and disabled an important part of its agency network services.

Such outages, however, are not a reason for abandoning MITA. The real issue is whether an organization is prepared to respond when an outage occurs. It is my belief that centralized control of infrastructure – with all the necessary maintenance contracts and support structures in place to access vendor expertise – is better equipped to respond to the inevitable outage. MITA, in its current form, embodies this sound policy.

To conclude, the Montana Legislature enacted an enterprise approach for the delivery of information technology to the people of Montana. The public policy behind MITA is to promote operational effectiveness and efficiency. I believe SB 465 is contrary to this policy. SB 465 would create inefficiency and higher costs for IT operations both at the State Fund and the Department of Administration. I am not convinced that exempting the State Fund from MITA will benefit workers' compensation recipients or Montanans, generally. To the contrary, all arguments lead me to the conclusion that the State Fund should remain part of the state's information technology enterprise, for which my Administration is held accountable.

I return SB 465 to you with these reasons for my veto. I ask you to sustain this veto.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

April 23, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 729, "AN ACT REVISING ADVERTISING AND PUBLICATION

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REQUIREMENTS FOR BOARDS OF COUNTY COMMISSIONERS; PROVIDING THAT A NEWSLETTER OR OTHER PUBLICATION PRODUCED BY A LOCAL GOVERNMENT IS NOT CONSIDERED A NEWSPAPER FOR COUNTY ADVERTISING PURPOSES; AND AMENDING SECTION 7-5-2411, MCA.”

HB 729 was introduced at the request of the Montana Association of Counties to correct an inconsistency in statute created in 2005, when the legislature, through enactment of HB 474, amended Mont. Code Ann. § 7-1-2121, concerning the publication of notices in newspapers by non-municipal local governments, but inadvertently left unchanged another statute concerning legal advertising in newspapers by counties, Mont. Code Ann. § 7-5-2411, which conflicted with the changes made by HB 474.

As introduced this session, HB 729 corrected the inconsistency. However, amendments were added to HB 729 that perpetuate the problem the counties sought to rectify.

Working with the interested parties, I have prepared the enclosed amendments for your consideration. With these amendments, the two sections of law, Mont. Code Ann. §§ 7-1-2121 and 7-5-2411, will not conflict. That was the goal of HB 729 as introduced. I have discussed my proposed amendment with the sponsor of the bill, Representative Raser, who has expressed her support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

April 23, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 353, “AN ACT PROVIDING FOR THE RECORDING AND TRANSCRIPTION BY A PEACE OFFICER OF A TELEPHONIC APPLICATION BY THE PEACE OFFICER FOR A SEARCH WARRANT; AND AMENDING SECTION 46-5-222, MCA.”

HB 353 authorizes peace officer to record a transcribe a telephonic application for a search warrant. My proposed amendment is intended to correct an inconsistency in statute. Under Mont. Code Ann. § 46-5-220, a peace officer, the city or county attorney, or the attorney general may apply for a search warrant. However, as amended, Mont. Code Ann. § 46-5-222 refers to applications for warrants made only by peace officers. My proposed amendment to subsection (3)(c) of 46-5-222 corrects this inconsistency. It also uses the same language found in subsection (3)(b) of current law referring to telephonic applications for search warrants made to judges.

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I have discussed my proposed amendment with the sponsor of the bill, Representative McGillvray, who has expressed his support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

April 23, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

On Monday, April 23rd, I signed the following bills and delivered them to the Secretary of State:

House Bill 12 sponsored by Representative Callahan
House Bill 526 sponsored by Representative Groesbeck
House Bill 540 sponsored by Representative Groesbeck

I also returned House Bill 729 (Raser) and House Bill 353 (McGillvray) with Amendatory Vetoes.

Sincerely,

BRIAN SCHWEITZER
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolution was introduced, read first time, and referred to committee:
SJR 28, introduced by Hawks, referred to Education.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 46 adopted as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa,

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Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 78

Noes: Ankney, Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Hilbert, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Sinrud, Sonju, Taylor, Vincent, Wells, Mr. Speaker.
Total 20

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

SB 411 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 86

Noes: Barrett, Dutton, Everett, Hawk, Jayne, Jore, Kerns, Mendenhall, Rice, Ripley, Wells.
Total 11

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Kasten, Raser.
Total 3

SJR 16 concurred in as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Cohenour, Cordier, Dickenson, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Koopman, Kottel, Lambert, MacLaren, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 68

Noes: Arntzen, Barrett, Boggio, Clark, Driscoll, Dutton, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Ingraham, Kasten, Kerns, Klock, Lake, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Peterson, Ripley, Ross, Sinrud, Taylor, Vincent, Wells, Mr. Speaker.

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Total 30

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: Caferro, Raser.

Total 2

HB 3 passed as follows:

Ayes: Augare, Beck, Becker, Bergren, Bixby, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lange, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 62

Noes: Ankney, Arntzen, Barrett, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Heinert, Hendrick, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 36

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Caferro, Raser.

Total 2

HB 39 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 82

Noes: Blasdel, Boggio, Dutton, Everett, Hilbert, Himmelberger, Jayne, Jore, Kerns, Koopman, McGillvray, Sinrud, Sonju, Taylor, Wells, Mr. Speaker.

Total 16

Voted Absentee: Ross, Aye.

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Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

HB 69 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Beck, Blasdel, Everett, Ingraham, Jayne, Jore, Koopman, Lake, Mendenhall, Sinrud, Taylor, Witte, Mr. Speaker.
Total 13

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

HB 257 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Bixby, Grinde, Henry.
Total 3

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.

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Total 2

HB 330 passed as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 81

Noes: Barrett, Butcher, Everett, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Morgan, Peterson, Rice, Wells, Witte, Mr. Speaker.

Total 16

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Caferro, Glaser, Raser.

Total 3

HB 798 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 93

Noes: Jore, Koopman, Ripley, Wells, Mr. Speaker.

Total 5

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Caferro, Raser.

Total 2

HB 687, Conference Committee Report No. 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bixby, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour,

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Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 71

Noes: Barrett, Beck, Bergren, Blasdel, Everett, Hawk, Heinert, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, McGillvray, Mendenhall, Milburn, Morgan, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 27

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

SB 12, Conference Committee Report No. 1, adopted as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 87

Noes: Ankney, Boggio, Jore, Koopman, McGillvray, Mendenhall, Sinrud, Stahl, Vincent, Wells, Mr. Speaker.
Total 11

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

SB 121, Conference Committee Report No. 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Total 98

Noes: None.
Total 0

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

SB 404, Conference Committee Report No. 1, requiring a two-thirds vote of each House, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 77

Noes: Becker, Blasdel, Everett, Hawk, Hendrick, Himmelberger, Jayne, Jore, Kasten, Keane, Kerns, Koopman, Lake, Lange, McGillvray, Mendenhall, Milburn, Nooney, Taylor, Wells, Witte.
Total 21

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Caferro, Raser.
Total 2

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wiseman in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 831 - Senate Amendments - Representative McNutt moved Senate amendments to **HB 831** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Lake, Lambert, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Stoker, Taylor, Ward, Wells, Witte.

Total 31

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser, Koopman, Lange, Sinrud, Sonju, Mr. Speaker.

Total 6

HJR 62 - Representative Mendenhall moved **HJR 62** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Boggio, Branae, Butcher, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Furey, Glaser, Groesbeck, Hamilton, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, L. Jones, W. Jones, Jopek, Jore, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, Mendenhall, Morgan, Musgrove, Nooney, O'Hara, Olson, Peterson, Phillips, Ripley, Ross, Sesso, Small-Eastman, Sonju, Stahl, Thomas, Vincent, Ward, Witte.

Total 56

Noes: Augare, Becker, Bergren, Bixby, Blasdel, Caferro, Callahan, Campbell, Cohenour, Dickenson, Franklin, French, Gallik, Grinde, Hands, Hawk, Henry, Jacobson, Jayne, Kasten, Keane, Kerns, Kottel, McChesney, McNutt, Milburn, Noonan, Parker, Pomnichowski, Raser, Reinhart, Rice, Sands, Sinrud, Stoker, Taylor, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 44

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 281 - Representative Hilbert moved **SB 281** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips,

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Total 96

Noes: Caferro, Callahan, Franklin, Villa.
Total 4

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 514 - Representative Nooney moved **SB 514** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Phillips, Reinhart, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 55

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McAlpin, Musgrove, Noonan, Parker, Pomnichowski, Raser, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 44

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Small-Eastman.
Total 1

SB 524 - Representative Klock moved **SB 524** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Witte.
Total 65

Noes: Arntzen, Barrett, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Morgan, O'Hara, Peterson, Rice, Ripley, Sinrud, Vincent, Wells, Wiseman, Mr. Speaker.

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Total 35

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 49 - Free Conference Committee Report No. 1 - Representative Ward moved the Free Conference Committee report to **SB 49** be adopted. Motion, requiring a two-third's vote of each House, carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Groesbeck, Jayne, Mendenhall, Peterson, Sinrud.

Total 5

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 147 - Free Conference Committee Report No. 1 - Representative Lambert moved the Free Conference Committee report to **SB 147** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 79

Noes: Bixby, Blasdel, Grinde, Groesbeck, Ingraham, Jayne, Jore, Kasten, Keane, Kerns, Koopman, Mendenhall, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 20

Voted Absentee: Ross, Aye.

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Excused: None.
Total 0

Absent or not voting: Dickenson.
Total 1

SB 365 - Free Conference Committee Report No. 1 - Representative Barrett moved the Free Conference Committee report to **SB 365** be adopted. Motion carried as follows:

Ayes: Augare, Barrett, Bixby, Boggio, Butcher, Caferro, Clark, Cordier, Dickenson, Dutton, Erickson, Everett, Franklin, French, Furey, Gallik, Grinde, Hamilton, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Musgrove, Olson, Parker, Peterson, Raser, Ripley, Ross, Sesso, Stahl, Stoker, Taylor, Thomas, Van Dyk, Ward, Mr. Speaker.
Total 51

Noes: Ankney, Arntzen, Beck, Becker, Bergren, Blasdel, Branae, Callahan, Campbell, Cohenour, Driscoll, Ebinger, Glaser, Groesbeck, Hands, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, McAlpin, McGillvray, Morgan, Noonan, Nooney, O'Hara, Phillips, Pomnichowski, Reinhart, Rice, Sands, Sinrud, Small-Eastman, Sonju, Villa, Vincent, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 49

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Wiseman moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 89

Noes: Groesbeck, Himmelberger, Jore, Koopman, Mendenhall, Rice, Villa, Wells.
Total 8

Excused: Ross.
Total 1

Absent or not voting: Sinrud, Thomas.

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Total 2

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to House Bill 829**, by Representative L. Jones, and to appoint a **Free** Conference Committee.

The Speaker appointed the following members:

Representative L. Jones
Representative Barrett
Representative Augare

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 25**, by Senator Larson.

The Speaker appointed the following members:

Representative Everett
Representative Vincent
Representative Cordier

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments to Senate Bill 550**, by Senator Liable.

The Speaker appointed the following members:

Representative Rice
Representative Sonju
Representative Bergren

There being no objections, so ordered.

Representative Kasten moved to suspend the rules and allow **HB 519** to be accepted as amended by the Senate, be printed and placed on second reading on Legislative Day 87. Motion, requiring a two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, French, Glaser, Hawk, Hendrick, Hilbert, L. Jones, W. Jones, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.

Total 46

Noes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, Jopek, Jore, Keane, Kottel, McAlpin, McGillvray, Mendenhall, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.

Total 53

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Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative McNutt moved to override the Governor's veto on **HB 469**. Motion, requiring two-thirds vote, **failed** as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, French, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sonju, Stahl, Taylor, Vincent, Ward, Wells, Windy Boy, Witte, Mr. Speaker.
Total 54

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, Furey, Gallik, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Kottel, McAlpin, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Wiseman.
Total 44

Excused: Ross.
Total 1

Absent or not voting: Stoker.
Total 1

Representative Cohenour moved to have **SB 201** placed on second reading on Legislative Day 87. Motion, requiring a three-fifths vote, **failed** as follows.

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 52

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 47

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 23, 2007

REPORTS OF STANDING COMMITTEES

TAXATION (Lake, Chairman):
SJR 31, be concurred in. Report adopted.

4/23/2007

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 227**
Report No. 1, April 23, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 227** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 227** (reference copy -- salmon) be amended as follows:

1. Title, line 12.

Following: "CONFERENCE,"

Insert: "PROVIDING THAT A PARTY AT THE PARTY'S DISCRETION MAY APPEAR IN CERTAIN JUSTICE'S COURT PRETRIAL PROCEEDINGS BY TELEPHONE CONFERENCE;"

2. Title, line 13.

Following: "25-31-710,"

Insert: "25-31-710,"

3. Page 5.

Following: line 8

Insert: "Section 6. Section 25-31-710, MCA, is amended to read:

"25-31-710. Pretrial conferences or hearings -- appearance by telephone conference. (1) ~~At the discretion of the court, a~~ A party or the party's attorney may make an appearance by telephone conference in a pretrial conference or other hearing under this chapter if:

(a) the party does not need to or intend to offer evidence at the pretrial conference or hearing; ~~and~~

(b) the party does not reside within the county in which the case is filed or the party's or the party's attorney's principal place of business is not located in that county; and

(c) at least 10 days before the pretrial conference or other hearing, the party or the party's attorney intending to appear by telephone conference provides written notice to the court and to all parties or the attorneys for the parties.

(2) The party requesting the telephone conference is responsible for arranging the telephone conference and paying the associated costs.""

Renumber: subsequent section

For the Senate:

Laslovich, Chairman
Jent
Shockley

For the House:

Koopman, Chairman
Kerns
Raser

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

HOUSE JOURNAL
EIGHTY-SIXTH LEGISLATIVE DAY - APRIL 23, 2007

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Tuesday, April 24, 2007. Motion carried.

House adjourned at 6:15 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 24, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Koopman. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ross, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-first, eighty-second, and eighty-third legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/23/2007

Correctly printed: **SJR 31**.

Examined by the sponsor and found to be correct: **HB 823**.

Correctly engrossed: **SB 205**.

Correctly enrolled: **HB 155, HJR 50, HB 533**.

Signed by the Chief Clerk of the House at 1:30 p.m., April 20, 2007: **HB 40, HB 390, HB 406, HB 569, HB 665, HJR 25**.

Signed by the Speaker at 11:45 a.m., April 24, 2007: **HB 40, HB 390, HB 406, HB 569, HB 665, HJR 25**.

Examined by the sponsor and found to be correct: **HB 25, HB 155, HJR 50, HB 533**. 4/24/2007

Correctly enrolled: **HB 3, HB 39, HB 69, HB 257, HB 330, HB 798, HB 687**.

APPROPRIATIONS (Sinrud, Chairman): 4/24/2007

SB 22, be concurred in. Report adopted.

SB 115, be concurred in. Report adopted.

SB 161, be concurred in. Report adopted.

SB 166, be concurred in. Report adopted.

SB 205, be amended as follows:

1. Title, line 6.

Strike: "IMMEDIATE"

2. Page 2, line 2 through line 3.

Strike: "ON PASSAGE AND APPROVAL"

Insert: "July 1, 2007"

And, as amended, be concurred in. Report adopted.

SB 273, be concurred in. Report adopted.

BUSINESS AND LABOR (Mendenhall, Chairman): 4/24/2007

SB 417, be concurred in. Report adopted.

HUMAN SERVICES (Stoker, Chairman): 4/24/2007

SJR 23, be concurred in. Report adopted.

HOUSE JOURNAL
EIGHTY-SEVENTH LEGISLATIVE DAY - APRIL 24, 2007

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on Senate Bill 51

Report No.1, April 24, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 51** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 51** (reference copy -- salmon) be amended as follows:

1. Page 11, line 22.

Strike: "2008"

Insert: "2009"

2. Page 11, line 24.

Strike: "and"

3. Page 11, line 26.

Following: "interface"

Insert: "; and

(c) identification of enforcement mechanisms"

4. Page 11, line 27 through line 28.

Strike: subsection (3) in its entirety

5. Page 12, line 19.

Strike: "2008"

Insert: "2009"

6. Page 13, line 5.

Strike: "2008"

Insert: "2009"

For the Senate:

Hawks, Chairman

Laible

Moss

For the House:

Koopman, Chairman

Dickenson

Vincent

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 831 passed as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton,

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Hands, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Dutton, Everett, Glaser, Hawk, Hendrick, Himmelberger, Ingraham, Jore, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Wells, Witte, Mr. Speaker.

Total 31

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Hilbert, Stahl.

Total 2

HJR 62 failed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Boggio, Butcher, Caferro, Clark, Dutton, Ebinger, Everett, Furey, Glaser, Grinde, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Morgan, Nooney, O'Hara, Olson, Peterson, Reinhart, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Vincent, Ward, Witte.

Total 47

Noes: Augare, Becker, Bergren, Bixby, Blasdel, Branae, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Erickson, Franklin, French, Gallik, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kasten, Keane, Kerns, Kottel, McAlpin, McChesney, Milburn, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Rice, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 53

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 281 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk,

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Vincent, Ward, Wells, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 93

Noes: Caferro, Callahan, Franklin, Henry, Sands, Villa, Wilmer.
Total 7

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 514 concurred in as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Gallik, Glaser, Groesbeck, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 53

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jopek, Keane, Koopman, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 47

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 524 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Wiseman, Witte.
Total 73

Noes: Barrett, Boggio, Butcher, Dutton, Everett, Gallik, Hawk, Hendrick, Hilbert, Himmelberger, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Lange, MacLaren, McGillvray, Mendenhall, Nooney, Peterson, Stahl, Vincent, Wells, Windy Boy, Mr. Speaker.

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Total 27

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 49, Free Conference Committee Report No. 1, requiring two -thirds vote of each house, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: Jore, Mendenhall.

Total 2

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 147, Free Conference Committee Report No. 1, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Boggio, Branae, Butcher, Caferro, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Gallik, Groesbeck, Hamilton, Hawk, Heinert, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Lambert, MacLaren, Malcolm, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Barrett, Bixby, Blasdel, Callahan, Campbell, Clark, Cohenour, French, Furey, Glaser, Grinde, Hands, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Kottel, Lake, Lange, McAlpin, Mendenhall, Nooney, Pomnichowski, Rice, Ripley, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 35

Voted Absentee: Ross, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 365, Free Conference Committee Report No. 1, concurred in as follows:

Ayes: Ankney, Augare, Bergren, Bixby, Boggio, Branae, Caferro, Cohenour, Cordier, Dickenson, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Grinde, Groesbeck, Hamilton, Hawk, Heinert, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Malcolm, McAlpin, McChesney, McNutt, Mendenhall, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Raser, Reinhart, Ross, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Windy Boy.
Total 62

Noes: Arntzen, Barrett, Beck, Becker, Blasdel, Butcher, Callahan, Campbell, Clark, Driscoll, Gallik, Glaser, Hands, Hendrick, Hilbert, L. Jones, Jore, Kerns, Koopman, Lambert, Lange, MacLaren, McGillvray, Milburn, O'Hara, Peterson, Pomnichowski, Rice, Ripley, Sands, Sinrud, Sonju, Taylor, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 38

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Taylor in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 4 - Representative Taylor moved consideration of **SB 4** be placed at the bottom of the second reading board for the purpose of amendment. Motion carried.

HJR 56 - Representative Sands moved **HJR 56** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 69

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns,

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Koopman, Lake, Malcolm, Mendenhall, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 29

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: Lange, Vincent.

Total 2

SB 206 - Representative Clark moved **SB 206** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 80

Noes: Beck, Everett, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, Lake, Mendenhall, Rice, Ross, Sinrud, Sonju, Wells, Witte, Mr. Speaker.

Total 19

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

SB 168 - Governor's Amendments - Representative Dickenson moved Governor's amendments to **SB 158** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jayne, Jore, Kasten, Koopman, Mendenhall, Taylor.

Total 6

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Sonju.

Total 1

SB 537 - Governor's Amendments - Representative Stahl moved Governor's amendments to **SB 537** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 52

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 31 - Representative Sonju moved **SJR 31** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jopek, Keane, Klock, Kottel, Lambert, Lange, MacLaren, McChesney, McGillvray, McNutt, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Ward, Windy Boy, Wiseman.

Total 64

Noes: Beck, Bergren, Blasdel, Butcher, Cohenour, Dickenson, Everett, Gallik, Hamilton, Hawk, Jayne, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Malcolm, McAlpin, Mendenhall, Milburn, Musgrove, Peterson, Ripley, Ross, Sinrud, Taylor, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Witte, Mr. Speaker.

Total 35

Voted Absentee: Ross, No.

Excused: None.

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Total 0

Absent or not voting: Hilbert.

Total 1

HB 353 - Governor's Amendments - Representative McGillvray moved Governor's amendments to **HB 353** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Mendenhall.

Total 1

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 729 - Governor's Amendments - Representative Raser moved Governor's amendments to **HB 729** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 78

Noes: Blasdel, Boggio, Dutton, Everett, Hawk, Hendrick, Hilbert, Himmelberger, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Peterson, Ripley, Ross, Sinrud, Stahl, Stoker, Vincent, Wells, Mr. Speaker.

Total 22

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 118 - Free Conference Committee Report No. 1 - Representative Morgan moved the Free Conference Committee report to **SB 118** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Bergren, Jore, Kerns, Koopman, Mendenhall.

Total 5

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Small-Eastman.

Total 1

SB 227 - Conference Committee Report No. 1 - Representative Peterson moved the Conference Committee report to **SB 227** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Mendenhall.

Total 1

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 201 - Representative MacLaren moved **SB 201** be concurred in.

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SB 201 - Representative Erickson moved **SB 201**, second reading copy, be amended as follows:

1. Page 5, line 1 through line 2.

Strike: subsection (C) in its entirety

Renumber: subsequent subsections

Amendment adopted as follows:

Ayes: Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 76

Noes: Ankney, Arntzen, Beck, Blasdel, Boggio, Everett, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Morgan, Peterson, Sinrud, Sonju, Vincent, Ward, Wells, Mr. Speaker.

Total 23

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Witte.

Total 1

SB 201 - The motion that **SB 201**, as amended, be concurred in carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 65

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Everett, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Olson, Rice, Ripley, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 33

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Butcher, Stahl.

Total 2

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Speaker Sales assumed the chair.

SB 4 - Representative Taylor moved **SB 4** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

Noes: Mendenhall.

Total 1

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Speaker Sales moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Bergren, Jore, Koopman, Mendenhall, Sinrud, Wilson.

Total 6

Excused: Ross.

Total 1

Absent or not voting: Dutton, Jayne.

Total 2

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE

HOUSE JOURNAL
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on House Amendments to **Senate Bill 96**
Report No. 1, April 24, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 96** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 96** (reference copy -- salmon) be amended as follows:

1. Title, line 7.

Following: "TO THE"

Insert: "PETITIONER, WITH REVIEW BY THE"

2. Title, line 8.

Following: "DIVISION"

Insert: "AND APPROVAL BY THE ATTORNEY GENERAL FOR INITIATED MEASURES AND PREPARATION BY THE ATTORNEY GENERAL FOR REFERRED MEASURES"

3. Page 2, line 12 through line 13.

Strike: "LEGISLATIVE" on line 12 through "DIVISION'S" on line 13

Insert: "petitioner's

Following: "statements"

Insert: "for initiated measures and the attorney general's ballot statements for referred measures"

4. Page 2, line 17.

Strike: "LEGISLATIVE SERVICES DIVISION'S"

Insert: "petitioner's"

5. Page 2, lines 21 and 22.

Strike: "A QUALIFIED ELECTOR"

Insert: "the lead petitioner"

6. Page 2, line 24.

Following: "COURT."

Insert: "If a lead petitioner has not been designated in accordance with this section or if the parties to the proceeding agree, the proceeding must be referred to the district court for Lewis and Clark County."

7. Page 2.

Following: line 27

Insert: "(4) As used in this section, "lead petitioner" means an individual designated by the petitioner or petitioners on a form provided by the secretary of state.

Renumber: subsequent subsection

8. Page 9, line 11.

Following: "state"

Insert: "together with draft ballot statements intended to comply with 13-27-312"

9. Page 9, line 14.

Following: "issue"

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Insert: "and statements"

10. Page 9, line 15.

Following: "text"

Insert: "and statements"

Following: "consistency,"

Insert: "and"

11. Page 9, line 16.

Following: "division"

Insert: ", the requirements of 13-27-312"

12. Page 9, line 18.

Following: "text"

Insert: "and statements"

13. Page 9, line 20.

Following: "text"

Insert: "and revisions to the statements to make them consistent with any recommendations for change to the text and the requirements of 13-27-312"

14. Page 9, line 28.

Following: "issue"

Insert: "and ballot statements"

15. Page 10, line 1.

Following: "text"

Insert: "or a ballot statement"

16. Page 10, line 3.

Following: "issue"

Insert: "and statements"

Following: "to"

Insert: "the"

Following: "sufficiency"

Insert: "of the issue and for approval of the petitioner's ballot statements"

17. Page 10, lines 3 and 4.

Strike: "TO THE LEGISLATIVE SERVICES DIVISION"

18. Page 10, line 4.

Strike: "preparation of ballot statements"

Insert: "a determination"

Following: "13-27-312"

Insert: "whether a fiscal note is necessary"

19. Page 10, line 19.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "petitioner, as approved by the attorney general and"

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20. Page 10, line 23 through line 24.

Strike: "LEGISLATIVE" on line 23 through "DIVISION" on line 24

Insert: "petitioner, reviewed by the legislative services division, and approved by the attorney general"

21. Page 14, line 25.

Strike: "HARASSMENT"

Insert: "Physical prevention of obtaining signatures or physical intimidation"

22. Page 14, line 26.

Strike: "HARASS"

Insert: "physically prevent an individual from obtaining signatures or attempting to obtain signatures on a petition for a ballot issue"

Following: the second "OR"

Insert: "physically"

23. Page 14, lines 27 and 28.

Strike: "MEASURE" on line 27 through "MEASURE" on line 28

Insert: "issue"

24. Page 16, line 7.

Following: "issue"

Insert: "and statements"

25. Page 16, line 8.

Strike: "statements --"

Following: "issue"

Insert: "and statements"

26. Page 16, line 13.

Following: "section"

Insert: "and shall determine whether the ballot statements comply with the requirements of this section"

27. Page 16, line 17.

Strike: "LEGISLATIVE SERVICES DIVISION shall prepare"

Insert: "attorney general shall, in reviewing the ballot statements, endeavor to seek out parties on both sides of the issue and obtain their advice. The attorney general shall review the ballot statements to determine if they contain the following matters"

28. Page 16, line 24.

Strike: "SEND"

Insert: "return"

29. Page 16, line 25.

Strike: "SECRETARY OF STATE"

Insert: "attorney general"

30. Page 16, line 26.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

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31. Page 17, line 26.

Strike: "LEGISLATIVE" through "SHALL"

Insert: "attorney general shall also"

Following: "state"

Insert: "the petitioner's"

32. Page 17, line 27.

Strike: "prepared pursuant to"

Insert: "that comply with the requirements of"

Strike: "and THE"

Insert: ". If the attorney general determines in writing that a ballot statement clearly does not comply with the requirements of this section, the attorney general shall prepare a statement that complies with the requirements of this section, forward that statement to the secretary of state as the approved statement, and provide a copy to the petitioner. The"

33. Page 18, line 1.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

Following: "has"

Insert: "approved or"

34. Page 18, line 5.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

35. Page 18, line 7.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

36. Page 18, line 10.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

37. Page 18, line 28.

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "approved petitioner"

38. Page 18, line 30.

Strike: "formulated"

Insert: "approved"

Strike: "LEGISLATIVE SERVICES DIVISION"

Insert: "attorney general"

39. Page 19, line 8.

Following: "statement"

Insert: "petitioner"

Strike: "formulated"

Insert: "approved"

40. Page 19, line 8 through line 9.

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Strike: "LEGISLATIVE" on line 8 through "DIVISION" on line 9
Insert: "attorney general"

41. Page 19, line 18.

Strike: "LEGISLATIVE SERVICES DIVISION'S ballot statements"
Insert: "petitioner's ballot statements approved by the attorney general"

42. Page 19, line 27.

Strike: "LEGISLATIVE SERVICES DIVISION"
Insert: "attorney general"

43. Page 19, line 29.

Strike: "LEGISLATIVE SERVICES DIVISION"
Insert: "attorney general"

44. Page 20, line 8.

Strike: "LEGISLATIVE SERVICES DIVISION"
Insert: "attorney general"

45. Page 20, line 18.

Strike: "LEGISLATIVE SERVICES DIVISION"
Insert: "attorney general"

46. Page 20, line 21.

Strike: "LEGISLATIVE SERVICES DIVISION'S"
Insert: "petitioner's"
Following: "statements"
Insert: ", as approved by the attorney general,"

47. Page 23, line 16.

Strike: "LEGISLATIVE SERVICES DIVISION's"
Insert: "attorney general's"

For the Senate:

Williams, Chairman
Laible
Laslovich

For the House:

Everett, Chairman
Butcher
Kottel

FREE CONFERENCE COMMITTEE
on **House Bill 715**
Report No. 1, April 23, 2007

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 715** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

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And, recommend that **House Bill 715** (reference copy -- salmon) be amended as follows:

1. Title, line 6.

Following: "PROJECTS"

Insert: "OR RENEWABLE RESOURCE RESEARCH AND DEVELOPMENT PROJECTS"

2. Page 1, line 29.

Following: "projects"

Insert: ", "

Strike: "or"

3. Page 1, line 30.

Following: "projects"

Insert: ", or renewable resource research and development projects"

4. Page 2, line 7.

Strike: "20% "

Insert: "30% "

5. Page 2, line 8.

Following: "development"

Insert: "or renewable resource research and development"

6. Page 2, line 10.

Following: "DEVELOPMENT"

Insert: "or renewable resource research and development"

7. Page 3, line 12.

Insert: "(11) For the purposes of this section: (a) "clean coal research and development" means research and development of projects that would advance the efficiency, environmental performance, and cost-competitiveness of using coal as an energy source well beyond the current level of technology used in commercial service;

(b) "renewable resource research and development" means research and development that would advance:

(i) the use of any of the sources of energy listed in 69-8-1003(6) to produce electricity; and

(ii) the efficiency, environmental performance, and cost competitiveness of using renewable resources as an energy source well beyond the current level of technology used in commercial service."

For the House:

Olson, Chairman

Driscoll

Himmelberger

For the Senate:

Wanzenried, Chairman

Gebhardt

Lind

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 160**
Report No. 1, April 24, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 160** (reference copy - salmon)

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and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 160** (reference copy -- salmon) be amended as follows:

1. Page 1, line 12.

Strike: "\$446,987"

Insert: "\$822,774.07"

2. Page 1, line 13.

Following: "interest"

Insert: "plus interest"

3. Page 1, line 19.

Following: "interest"

Insert: "plus interest"

4. Page 1, line 22.

Strike: "\$5.40"

Insert: "\$5.94"

5. Page 1, line 23.

Strike: "\$14,242.87"

Insert: "\$14,500.19"

6. Page 1, line 24.

Strike: "\$737.95"

Insert: "\$761.97"

7. Page 1, line 25.

Strike: "\$5,881.98"

Insert: "\$6,060.68"

8. Page 1, line 26 through line 28.

Strike: lines 26 through 28 in their entirety

Renumber: subsequent subsections

9. Page 1, line 29.

Strike: "STATE SPECIAL REVENUE FUND"

Strike: "\$9.26"

Insert: "\$10.40"

10. Page 1, line 30.

Strike: "STATE SPECIAL REVENUE FUND"

11. Page 2, line 1.

Strike: "\$17.06"

Insert: "\$19.24"

12. Page 2, line 2.

Following: "SCHOOLS"

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Insert: "common schools"

Strike: "STATE SPECIAL REVENUE FUND"

13. Page 2, line 3.

Strike: "CAPITOL LAND GRANT PROJECTS FUND ("

Following: "BUILDINGS"

Strike: "2"

Strike: "\$25,848.25"

Insert: "\$29,149.38"

14. Page 2, line 12.

Strike: "TRANSFERRED"

Insert: "appropriated"

15. Page 2, line 13.

Following: the first "SCHOOLS"

Insert: "common schools"

Strike: "STATE SPECIAL REVENUE FUND"

16. Page 2, line 14.

Following: line 13

Insert: "common schools"

For the House:

Musgrove, Chairman

Ripley

Stoker

For the Senate:

Wanzenried, Chairman

Hawks

Laible

MESSAGES FROM THE SENATE

House amendments to Senate bills concurred in:

4/23/2007

SB 130, introduced by Story

SB 222, introduced by Esp

SB 233, introduced by Elliott

SB 309, introduced by Balyeat

SB 436, introduced by Gebhardt

SB 486, introduced by Shockley

SB 518, introduced by Perry

SB 525, introduced by Elliott

SB 538, introduced by Elliott

SB 549, introduced by Story

Conference Committee Report No.1 adopted:

4/23/2007

SB 49, introduced by Esp

SB 147, introduced by Shockley

SB 365, introduced by Story

MOTIONS

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Representative Van Dyk moved **HB 426** be placed on second reading on Legislative Day 88 to consider the Governor's Amendments.

Motion, requiring a three-fifths vote, **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Noonan moved to take **HJR 63** from the table in the Committee on Appropriations, be printed and placed on second reading on Legislative Day 88.

Motion, requiring a three-fifths vote, **failed**, as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Groesbeck moved to take **SB 235** from the table in the Committee on Appropriations, be printed and placed on second reading on Legislative Day 88.

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Motion, requiring a three-fifths vote, **failed**, as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, Jopek, Keane, Klock, Kottel, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 51

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Cordier, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, W. Jones, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 316**, by Representative Elliott.

The Speaker appointed the following members:

Representative Mendenhall
Representative Lambert
Representative Jopek

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **House Amendments** to **Senate Bill 393**, by Representative Gillan.

The Speaker appointed the following members:

Representative Rice failed to concur in House amendments to **SB 316**,
authorized the President to appoint the following Conference Committee, and requested that the House appoint a like
committee to confer on **SB 316**:

Representative Hawk
Representative Jayne

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments** to **House Bill 592**, by Representative Wilson, and to appoint a **Free** Conference Committee.

The Speaker appointed the following members:

Representative McGillvray
Representative Klock

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Representative Wilson

There being no objections, so ordered.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **House Bill 829**
Report No. 1, April 24, 2007

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 829** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 829** (reference copy -- salmon) be amended as follows:

1. Title, lines 9 and 10.

Following: "ACCOUNT;" on line 9

Strike: remainder of line 9 through "VOIDNESS;" on line 10

2. Page 2, line 9.

Following: "the account."

Insert: "Up to \$650,000 each fiscal year of interest and earnings on the account must be deposited in the account."

3. Page 2, line 10.

Following: "only for"

Insert: ":

(a)"

4. Page 2, line 16.

Following: "Tribe"

Insert: "; and

(b) implementation of the water rights compact among the Blackfeet Tribe, the state, and the United States and any associated agreements as may be specified in the compact or agreements"

5. Page 2, line 17.

Following: "(3)"

Insert: "(a)"

6. Page 2, line 18 through line 19.

Following: "PURPOSES" on line 18

Strike: remainder of line 18 through "RESERVATION" on line 19

7. Page 2, line 20.

Following: line 19

Insert: "(b) The department may expend up to \$650,000 each fiscal year of the interest and income on the escrow account provided for in subsection (4)(b) for the purposes described in subsection (2)(b)."

8. Page 2, line 20.

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Following: "(4)"

Insert: "(a)"

9. Page 2, line 22.

Following: line 21

Insert: "(b) The amount of \$10 million in this account must be held in escrow. The department shall negotiate the terms of an escrow agreement."

10. Page 2, line 20.

Strike: "\$2.5"

Insert: "\$4.5"

Strike: "fund"

Insert: "account"

11. Page 3, line 16.

Following: "(1)"

Insert: "(a)"

12. Page 3, line 19.

Following: "(3)"

Insert: "(a)"

13. Page 3, line 20.

Following: line 19

Insert: "(b) Up to \$650,000 each fiscal year of the interest and income on the escrow account provided for in [section 2] is appropriated to the department for the purposes described in [section 2(2)(b)]."

14. Page 3, line 29 through line 30.

Strike: section 8 in its entirety

Renumber: subsequent sections

For the House:

L. Jones, Chairman

Augare

Barrett

For the Senate:

Laslovich, Chairman

Black

Juneau

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 304**
Report No. 1, April 24, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 304** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 304** (reference copy -- salmon) be amended as follows:

1. Title, line 5 through line 7.

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Following: "ISSUES" on line 5

Strike: " " on line 5 through "MONTANA" on line 7

2. Title, line 9.

Strike: "APPROPRIATIONS"

Insert: "AN APPROPRIATION"

3. Page 12, line 28 through page 13, line 8.

Strike: subsection (3) in its entirety

For the House:

Furey, Chairman

Barrett

L. Jones

For the Senate:

Kaufmann, Chairman

Lind

Perry

FREE CONFERENCE COMMITTEE
on **Senate Bill 276**
Report No. 1, April 24, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 276** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 276** (reference copy -- salmon) be amended as follows:

1. Page 1, line 22.

Following: "BY"

Insert: ":

(A)"

2. Page 1, line 23 through line 24.

Following: "PRODUCER"

Insert: " ; "

Strike: "by" on line 23 through "state." on line 24

Insert: "(B) a person licensed under Title 37, chapter 19, parts 3 and 4, if that person also is licensed as a life insurance producer in this state.

(d)"

3. Page 1, line 25.

Strike: "this"

4. Page 2, line 5 through line 8.

Strike: "AND" on line 5 through "." on line 8

Insert: "(b) the applicant may designate the beneficiary, including but not limited to a funeral director, mortician, mortuary, or undertaker, if the applicant has an insurable interest in the life of the insured; and

(c) subject to the provisions of [section 2] and this section, the beneficiary may use the proceeds for any purpose."

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5. Page 4, line 5 through line 6.

Strike: "WITH" on line 5 through "in" on line 6

Insert: "except as permitted by"

6. Page 9, line 2 through line 5.

Strike: "CLEARLY" on line 2 through "PURPOSE" on line 5

Insert: "comply with [section 1]"

7. Page 9, line 8.

Strike: "(4)"

Insert: "(5)"

For the Senate:

Steinbeisser, Chairman

Larson

M. Tropila

For the House:

Mendenhall, Chairman

Boggio

Reinhart

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Wednesday, April 25, 2007. Motion carried.

House adjourned at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
EIGHTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 25, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Witte. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ross, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman):

4/24/2007

Examined by the sponsor and found to be correct: **HB 257, HB 39, HB 69, HB 687, HB 3, HB 822, HB 330, HB 798.**

Correctly printed: **SB 22, SB 161, SJR 23, SB 115, SB 166, SB 273, SB 417.**

Correctly enrolled: **HB 822.**

Signed by the President at 5:05 p.m., April 24, 2007: **HB 40, HB 390, HB 406, HB 569, HB 665, HJR 25.**

Delivered to the Governor for approval at 11:10 a.m., April 25, 2007: **HB 40, HB 390, HB 406, HB 569, HB 665.**

Delivered to the Secretary of State at 11:18 a.m., April 25, 2007: **HJR 25.**

Examined by the sponsor and found to be correct: **HB 831, HJR 59.**

4/25/2007

Correctly engrossed: **SB 69, SB 155.**

Correctly enrolled: **HB 831, HJR 59.**

Signed by the Chief Clerk at 1:50 p.m., April 24, 2007: **HB 4, HB 6, HB 7, HB 8, HB 24, HB 49, HB 96, HB 131, HB 141, HB 195, HB 240, HB 259, HB 278, HB 480, HB 488, HB 512, HB 536, HB 608, HB 616, HB 668, HB 823, HB 840, HJR 28.**

Signed by the Speaker at 1:35 p.m., April 25, 2007: **HB 4, HB 6, HB 7, HB 8, HB 24, HB 49, HB 96, HB 131, HB 141, HB 195, HB 240, HB 259, HB 278, HB 480, HB 488, HB 512, HB 536, HB 608, HB 616, HB 668, HB 823, HB 840, HJR 28.**

Signed by the Chief Clerk of the House at 12:50 p.m., April 25, 2007: **HB 3, HB 39, HB 69, HB 155, HB 257, HB 330, HB 533, HB 687, HJR 50.**

Signed by the Speaker at 2:00 p.m., April 25, 2007: **HB 3, HB 39, HB 69, HB 155, HB 257, HB 330, HB 533, HB 687, HJR 50.**

Delivered to the Governor for approval at 4:10 a.m., April 25, 2007: **HB 259.**

Signed by the President at 2:00 p.m., April 25, 2007: **HB 259.**

APPROPRIATIONS (Sinrud, Chairman):

4/24/2007

SB 69, be amended as follows:

1. Title, line 6.

Following: "PROGRAM"

Insert: ", "

Strike: "AND"

2. Title, line 7.

Following: "PROGRAM"

Insert: ", AND THE MONTANA ECONOMIC DEVELOPMENT LOAN PROGRAM"

Strike: "SECTION"

Insert: "SECTIONS 17-6-305 AND"

3. Page 1, line 11.

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Following: line 10

Insert: "Section 1. Section 17-6-305, MCA, is amended to read:

"17-6-305. Investment of up to twenty-five percent of coal tax trust fund in Montana economy -- report by board. (1) Subject to the provisions of 17-6-201(1), the board shall endeavor to invest ~~up to~~ 25% of the permanent coal tax trust fund established in 17-6-203(6) in the Montana economy, with special emphasis on investments in new or expanding locally owned enterprises. Investments made pursuant to this section do not include investments made pursuant to 17-6-309(2). For purposes of calculating the 25% of the permanent coal tax trust fund, the board shall include all funds listed in 17-5-703(1). The portion of the permanent coal tax trust fund contained in portfolios formerly administered by the Montana board of science and technology development is included in the 25% of the trust fund allocated to the board for in-state investment under this section. This subsection does not prohibit the board from investing more than 25% of the permanent coal tax trust fund in the Montana economy if it is prudent to do so and the investments will benefit the Montana economy.

(2) In determining the probable income to be derived from investment of this revenue, the long-term benefit to the Montana economy must be considered.

(3) The legislature may provide additional procedures to implement this section.

(4) The board shall include a report on the investments made under this section as a part of the information required by 17-7-111."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 155, be amended as follows:

1. Title, line 6 through line 8.

Strike: the second "PROVIDING" on line 6 through "MCA;" on line 8

2. Title, line 9.

Strike: "AND A TERMINATION DATE"

3. Page 2, line 5 through page 5, line 9.

Strike: section 2 through section 4 in their entirety

Renumber: subsequent sections

4. Page 5, line 16.

Strike: section 7 in its entirety

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 337**
Report No. 1, April 24, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 337** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 337** (reference copy -- salmon) be amended as follows:

1. Page 1, line 20 through line 21.

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Strike: "IF THE" on line 20 through "COMPENSATION" on line 21

2. Page 1, line 22 through line 23.

Strike: "WORKERS" on line 22 through "COMPENSATION" on line 23

For the House:

Wells, Chairman
Cohenour
Kerns

For the Senate:

Harrington, Chairman
Gebhardt
Kitzenberg

FREE CONFERENCE COMMITTEE
on **House Bill 462**
Report No. 1, April 24, 2007

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 462** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 462** (reference copy -- salmon) be amended as follows:

1. Page 1, line 24.

Following: "OFFICE"

Insert: "or as a public service commissioner"

2. Page 1, line 25.

Strike: "PERSON" through "ACCOUNT"

Insert: "constituent services account may be established"

3. Page 1, line 27.

Strike: "or for"

Insert: ", "

Strike: "state"

Insert: "statewide elected"

Following: "office"

Insert: ", or the public service commission"

4. Page 2, line 25.

Following: "STATEWIDE"

Insert: "elected"

Strike: "OR"

Insert: ", "

Following: "LEGISLATOR"

Insert: ", or public service commissioner"

5. Page 2, line 26.

Following: "STATEWIDE"

Insert: "elected"

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6. Page 2, line 27.

Strike: "OR"

Insert: ", "

Following: "LEGISLATOR"

Insert: ", or public service commissioner"

7. Page 4, line 26.

Following: "OFFICE"

Insert: "or for public service commissioner"

For the House:

Sands, Chairman
Sinrud
Ward

For the Senate:

Williams, Chairman
Brown
Gallus

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 25**
Report No. 1, April 25, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 25** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 25** (reference copy -- salmon) be amended as follows:

1. Page 4, line 19 through line 23.

Strike: subsection (3) in its entirety

Insert: "(3) If the department is addressing forest health concerns as provided in [section 4], the department may exceed the annual sustained harvest level by up to 5% using contract harvesting, provided that the contract harvest volume in excess of the annual sustained harvest level contains no more than 25% merchantable saw log volume."

For the Senate:

Larson, Chairman
Kaufmann
Lewis

For the House:

Everett, Chairman
Cordier
Vincent

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 103**
Report No. 1, April 24, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 103** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 103** (reference copy -- salmon) be amended as follows:

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1. Title, line 10.

Strike: "REGISTERED VOTERS"

Insert: "OWNERS OF 40 PERCENT OR MORE OF THE REAL PROPERTY WITHIN THE PROPOSED DISTRICT AND OWNERS OF PROPERTY REPRESENTING 40 PERCENT OR MORE OF THE TAXABLE VALUE OF THE PROPERTY WITHIN THE PROPOSED DISTRICT"

2. Page 2, line 8.

Following: "AREA"

Insert: "the owners of"

Strike: "REGISTERED VOTERS RESIDING"

Insert: "real property"

Following: "DISTRICT"

Insert: "and owners of property representing 40% or more of the taxable value of property in the proposed district"

3. Page 2, line 19.

Following: "VOTER"

Insert: "and real property owner"

4. Page 3, line 3.

Strike: "REGISTERED VOTER"

Insert: "real property owner"

5. Page 3, line 4 through line 5.

Strike: "AND WHO OWNS" on line 4 through "DISTRICT" on line 5

6. Page 3, line 5.

Strike: "VOTER'S"

Insert: "property owner's"

7. Page 7, line 2 through line 3.

Strike: "REGISTERED" on line 2 through "RESIDING IN" on line 3

Insert: "Real property owners in"

8. Page 7, line 4.

Following: "50%"

Insert: "the owners of"

9. Page 7, line 5.

Strike: "REGISTERED VOTERS"

Insert: "real property in an existing district and owners of property representing 40% or more of the taxable value of property"

10. Page 7, line 18.

Following: "OWNERS"

Insert: "the owners of"

11. Page 7, line 19.

Strike: "REGISTERED VOTERS of an"

Insert: "real property within the area proposed to be detracted from the original district and owners of property representing 40% or more of the taxable value of property in the"

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12. Page 8, line 13.

Following: "~~OWNERS IN~~"

Insert: "the owners of"

Strike: "REGISTERED VOTERS RESIDING IN"

Insert: "real property in the entire original district and owners of property representing 40% or more of the taxable value of property in"

13. Page 9, line 4.

Following: "~~OWNERS~~"

Insert: "the owners of"

14. Page 9, line 5.

Strike: "REGISTERED VOTERS WHO RESIDE"

Insert: "real property within the proposed area to be annexed and owners of property representing 40% or more of the taxable value of property"

15. Page 9, line 17.

Strike: "REGISTERED VOTERS RESIDING IN"

Insert: "owners of real property in the area proposed for annexation and owners of property representing 40% or more of the taxable value of the property in"

16. Page 10, line 4 through line 5.

Strike: "REGISTERED" on line 4 through "RESIDING" on line 5

Insert: "owners of real property within the area proposed to be transferred and owners of 40% or more of the taxable value of the property"

17. Page 10, line 14.

Following: "~~OWNERS OF~~"

Insert: "the owners of"

18. Page 10, line 14 through line 15.

Strike: "REGISTERED" on line 14 through "VOTERS IN" on line 15

Insert: "real property in either district and owners of property representing 40% or more of the taxable value in"

19. Page 11, line 6.

Following: "~~OWNERS OF THE~~"

Insert: "the owners of"

20. Page 11, line 6 through line 7.

Strike: "REGISTERED" on line 6 through "IN THE" on line 7

Insert: "real property in the area and owners of property representing 40% or more of the taxable value of property in the"

For the Senate:

Lind, Chairman
Gebhardt
Hawks

For the House:

McChesney, Chairman
Ripley
Stahl

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FREE CONFERENCE COMMITTEE
on Senate Bill 547
Report No. 1, April 24, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 547** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 547** (reference copy -- salmon) be amended as follows:

1. Title, line 14.

Following: "45-1-205,"

Strike: "45-5-502,"

2. Title, line 15.

Following: "46-18-205,"

Insert: "46-18-222,"

3. Page 2, line 8.

Following: "45-5-502(3)"

Strike: "OR (4)"

4. Page 6, line 13.

Following: "(c)"

Insert: "subject to the provisions of subsection (5),"

5. Page 6, line 14.

Following: "be a"

Strike: "sexual offense or"

6. Page 6, line 15.

Following: "as a"

Strike: "sexual or"

7. Page 6, line 16 through line 20.

Following: "compliance." on line 16

Strike: remainder of line 16 through line 20

Insert: "(d) in the case of a delinquent youth who has been adjudicated for a sexual offense, as defined in 46-23-502, and is required to register as a sexual offender pursuant to Title 46, chapter 23, part 5, exempt the youth from the duty to register if the court finds that:

(i) the youth has not previously been found to have committed or been adjudicated for a sexual offense, as defined in 46-23-502; and

(ii) registration is not necessary for protection of the public and that relief from registration is in the public's best interest;"

Renumber: subsequent subsections

8. Page 6, line 29.

Following: "offense"

Insert: ", as defined in 46-23-502"

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Following: "SHALL"

Insert: ":

- (a) prior to disposition, order a psychosexual evaluation that must comply with the provisions of 46-18-111;
- (b) designate the youth's risk level pursuant to 46-23-509; and
- (c)"

9. Page 7, line 7.

Following: line 6

Insert: "(5) The duration of registration for a youth who is required to register as a sexual or violent offender shall be as provided in 46-23-506, except that the court may, based on specific findings of fact, order a lesser duration of registration."

10. Page 8, line 24 through page 10, line 2.

Strike: section 5 in its entirety

Renumber: subsequent sections

11. Page 11, line 4 through line 5.

Following: "offense" on line 4

Strike: remainder of line 4 through "children" on line 5

12. Page 11, line 16 through line 25.

Strike: subsection (c) in its entirety

13. Page 12, line 19 through line 20.

Following: "offense" on line 19

Strike: remainder of line 19 through "children" on line 20

14. Page 13, line 1 through line 10.

Strike: subsection (c) in its entirety

15. Page 13, line 18.

Following: "45-5-502(3)"

Strike: "or (4)"

16. Page 13, line 22.

Following: "45-5-502(3)"

Strike: "or (4)"

17. Page 18, line 11 through line 12.

Following: "offense" on line 11

Strike: remainder of line 11 through "children" on line 12

18. Page 18, line 23 through page 19, line 2.

Strike: subsection (c) in its entirety

19. Page 20, line 28.

Strike: "45-5-502(4)."

20. Page 23, line 19.

Strike: "45-5-502(4)."

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21. Page 24, line 15.

Strike: "45-5-502(4)."

22. Page 26, line 6.

Strike: "45-5-502(4)."

23. Page 26, line 8.

Following: line 7

Insert: "Section 17. Section 46-18-222, MCA, is amended to read:

"46-18-222. Exceptions to mandatory minimum sentences and restrictions on deferred imposition and suspended execution of sentence, and restrictions on parole eligibility. Mandatory minimum sentences prescribed by the laws of this state, mandatory life sentences prescribed by 46-18-219, ~~and~~ the restrictions on deferred imposition and suspended execution of sentence prescribed by 46-18-201(1)(b), 46-18-205, 46-18-221(3), 46-18-224, and 46-18-502(3), and restrictions on parole eligibility do not apply if:

(1) the offender was less than 18 years of age at the time of the commission of the offense for which the offender is to be sentenced;

(2) the offender's mental capacity, at the time of the commission of the offense for which the offender is to be sentenced, was significantly impaired, although not so impaired as to constitute a defense to the prosecution. However, a voluntarily induced intoxicated or drugged condition may not be considered an impairment for the purposes of this subsection.

(3) the offender, at the time of the commission of the offense for which the offender is to be sentenced, was acting under unusual and substantial duress, although not such duress as would constitute a defense to the prosecution;

(4) the offender was an accomplice, the conduct constituting the offense was principally the conduct of another, and the offender's participation was relatively minor;

(5) in a case in which the threat of bodily injury or actual infliction of bodily injury is an actual element of the crime, no serious bodily injury was inflicted on the victim unless a weapon was used in the commission of the offense; or

(6) the offense was committed under 45-5-502(3), 45-5-503(4), 45-5-507(5), 45-5-601(3), 45-5-602(3), 45-5-603(2)(c), or 45-5-625(4) and the judge determines, based on the findings contained in a sexual offender evaluation report prepared by a qualified sexual offender evaluator pursuant to the provisions of 46-23-509, that treatment of the offender while incarcerated, while in a residential treatment facility, or while in a local community affords a better opportunity for rehabilitation of the offender and for the ultimate protection of the victim and society, in which case the judge shall include in its judgment a statement of the reasons for its determination."

Renumber: subsequent sections

24. Page 26, line 23 through line 26.

Following: "assault" on line 23

Strike: remainder of line 23 through "CHILDREN" on line 26

25. Page 26, line 29 through line 30.

Following: "OFFENSE" on line 29

Strike: remainder of line 29 through "CHILDREN" on line 30

26. Page 27, line 4.

Following: "children"

Strike: "by a sexual predator of children"

27. Page 28, line 18 through line 20.

Following: "VICTIM" on line 18

Strike: remainder of line 18 through "CHILDREN" on line 20

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28. Page 28, line 23 through line 24.

Following: "OFFENSE" on line 23

Strike: remainder of line 23 through "CHILDREN" on line 24

29. Page 28, line 28.

Following: "after"

Insert: "an adjudication or"

30. Page 28, line 29.

Following: "convicted of"

Insert: " or, in youth court, found to have committed or been adjudicated for"

31. Page 29, line 2.

Following: "convicted of"

Insert: " or, in youth court, found to have committed or been adjudicated for"

32. Page 36, line 27.

Strike: "45-5-502(4)."

33. Page 37, line 17.

Strike: "45-5-502(4)."

34. Page 42, line 3.

Following: line 2

Insert: "NEW SECTION. Section 27. Sexual offender treatment. (1) Upon sentencing a person convicted of a sexual offense, as defined in 46-23-502, the court shall designate the offender as a level 1, 2, or 3 offender pursuant to 46-23-509.

(2) (a) Except as provided in subsection (2)(b), the court shall order an offender convicted of a sexual offense, as defined in 46-23-502, except an offense under 45-5-301 through 45-5-303, and sentenced to imprisonment in a state prison to:

(i) enroll in and successfully complete the educational phase of the prison's sexual offender treatment program;

(ii) if the person has been or will be designated as a level 3 offender pursuant to 46-23-509, enroll in and successfully complete the cognitive and behavioral phase of the prison's sexual offender treatment program; and

(iii) if the person is sentenced pursuant to 45-5-503(4), 45-5-507(5), 45-5-601(3), 45-5-602(3), 45-5-603(2)(c), or 45-5-625(4) and is released on parole, remain in an outpatient sex offender treatment program for the remainder of the person's life.

(b) A person who has been sentenced to life imprisonment without possibility of release may not participate in treatment provided pursuant to this section.

(3) A person who has been ordered to enroll in and successfully complete a phase of a state prison's sexual offender treatment program is not eligible for parole unless that phase of the program has been successfully completed as certified by a sexual offender evaluator to the board of pardons and parole.

(4) (a) Except for an offender sentenced pursuant to 45-5-503(4), 45-5-507(5), 45-5-601(3), 45-5-602(3), 45-5-603(2)(c), or 45-5-625(4), during an offender's term of commitment to the department of corrections or a state prison, the department may place the person in a residential sexual offender treatment program approved by the department under 53-1-203.

(b) If the person successfully completes a residential sexual offender treatment program approved by the department of corrections, the remainder of the term must be served on probation unless the department petitions the sentencing court to amend the original sentencing judgment.

(5) If a person's sentence is suspended pursuant to subsection (4)(b), during the suspended portion of the sentence the person:

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- (a) shall abide by the standard conditions of probation established by the department of corrections;
 - (b) shall pay the costs of imprisonment, probation, and any sexual offender treatment if the person is financially able to pay those costs;
 - (c) may have no contact with the victim or the victim's immediate family unless approved by the victim or the victim's parent or guardian, the person's therapists, and the person's probation officer;
 - (d) shall comply with all requirements and conditions of sexual offender treatment as directed by the person's sex offender therapist;
 - (e) may not enter an establishment where alcoholic beverages are sold for consumption on the premises or where gambling takes place;
 - (f) may not consume alcoholic beverages;
 - (g) shall enter and remain in an aftercare program as directed by the person's probation officer;
 - (h) shall submit to random or routine drug and alcohol testing;
 - (i) may not possess pornographic material or access pornography through the internet; and
 - (j) at the discretion of the probation and parole officer, may be subject to electronic monitoring or continuous satellite monitoring.
- (6) The sentencing of a sexual offender is subject to 46-18-202(2) and 46-18-219.
- (7) The sentencing court may, upon petition by the department of corrections, modify a sentence of a sexual offender to impose any part of a sentence that was previously suspended."

Insert: "NEW SECTION. Section 28. Codification instruction. [Section 27] is intended to be codified as an integral part of Title 46, chapter 18, and the provisions of Title 46, chapter 18, apply to [section 27]."

Renumber: subsequent sections

For the Senate:

Laslovich, Chairman
Moss
Perry

For the House:

Parker, Chairman
Morgan
Sinrud

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 550**
Report No. 1, April 25, 2007

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 550** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 550** (reference copy -- salmon) be amended as follows:

1. Page 7, line 26.

Following: "funding"

Insert: ", "

Following: "AMOUNT;"

Insert: "not to exceed (insert dollar or mill amount),"

2. Page 7, line 30.

Following: "funding"

Insert: ", "

Following: "AMOUNT;"

Insert: "not to exceed (insert dollar or mill amount),"

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For the Senate:

Juneau, Chairman
Laible
M. Tropila

For the House:

Rice, Chairman
Bergren
Sonju

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 4/24/2007
HB 822, introduced by Reinhart

House joint resolution concurred in and returned to the House: 4/24/2007
HJR 59, introduced by Himmelberger

House amendments to Senate bill concurred in: 4/24/2007
SB 127, introduced by Wanzenried

HB 592 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 592**: 4/24/2007

Senator Schmidt, Chair
Senator Steinbeisser
Senator M. Tropila

House joint resolution concurred in and returned to the House: 4/25/2007
HJR 61, introduced by Cohenour

Governor's amendments to Senate bill concurred in and transmitted to the House: 4/25/2007
SB 27, introduced by Esp

Conference Committee Report No.1 adopted: 4/25/2007
SB 227, introduced by Laslovich

HB 830 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 830**: 4/25/2007

Senator Cooney, Chair
Senator Brueggeman
Senator Schmidt

Conference Committee Report No.1 **not** adopted: 4/25/2007
HB 160, introduced by Stoker

April 24, 2007

The Honorable Brian Schweitzer
Governor of Montana
State Capitol
Helena, MT 59620

HOUSE JOURNAL
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Dear Governor Schweitzer:

On April 20, 2007 the Senate voted to NOT concur in the Governor's proposed amendments to Senate Bill 537, sponsored by Senator Brown, "AN ACT REVISING LAWS RELATING TO PREPAID LEGAL SERVICES; DEFINING "LEGAL SERVICE EXPENSE PLAN"; PROVIDING THAT LEGAL SERVICE EXPENSE PLANS ARE NOT SUBJECT TO THE INSURANCE CODE; AMENDING SECTIONS 33-1-102, 33-1-206, AND 33-17-504, MCA; REPEALING SECTION 33-1-215, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

The vote was as follows: Yes - 50 No - 0

The House also voted to NOT concur in the Governor's proposed amendments. The vote was as follows: Yes - 52
No - 48

Neither house requested a conference committee. In accordance with the Joint Rules of the Montana Legislature, Rule 40-230(4), Senate Bill 537 is being returned for reconsideration.

Sincerely,

John Mudd
Secretary of the Senate

Cc: Marilyn Miller, Chief Clerk of the House

MESSAGES FROM THE GOVERNOR

April 24, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

On Tuesday, April 24th, I signed the following bills and delivered them to the Secretary of State:

House Bill 361 sponsored by Representative Kottel
House Bill 369 sponsored by Representative Pomnichowski
House Bill 450 sponsored by Representative Pomnichowski
House Bill 452 sponsored by Representative Kottel

I also returned House Bill 583 (Jopek) and House Bill 768 (Gallik) with Amendatory Vetoes.

Sincerely,

BRIAN SCHWEITZER
Governor

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April 24, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 583, "AN ACT GENERALLY REVISING THE OPENCUT MINING ACT; AMENDING DEFINITIONS AND TERMINOLOGY; EXPANDING EXEMPTIONS; PROVIDING FOR SUSPENSION AND REVOCATION ORDERS; ELIMINATING APPLICATION FEES; REVISING APPEAL PROVISIONS; AMENDING SECTIONS 82-4-402, 82-4-403, 82-4-406, 82-4-422, 82-4-424, 82-4-425, 82-4-426, 82-4-427, 82-4-431, 82-4-432, 82-4-433, 82-4-434, 82-4-436, AND 82-4-441, MCA; AND REPEALING SECTIONS 82-4-421 AND 82-4-423, MCA."

HB 583 generally revises and modernizes Montana's Opencut Mining Act and provides for more effective administration and enforcement. My proposed amendment would disallow opencut operations within 1 mile of a national park, national monument, or national battlefield if it is determined that the operation would have an adverse impact on the park, monument, or battlefield. The amendment protects against unconstitutional takings and contains a "grandfather" clause so as not to effect current valid opencut permits.

Our national parks, monuments, and battlefields are an important part of our history, culture, and identity as Montanans and Americans. Furthermore, these resources contribute significantly to Montana's economy, and maintaining high quality visitor experience will assist in these contributions.

I have discussed my proposed amendment with the sponsor of the bill, Representative Jopek, who has expressed his support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

April 24, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney

HOUSE JOURNAL
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President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 768, "AN ACT REVISING THE LAW RELATED TO OSTENSIBLE AGENCY; AND AMENDING SECTION 28-10-103, MCA." My proposed amendment is intended to clarify the purpose of the bill and not change it.

HB 768 amends current law that addresses the liability of a health care provider in a malpractice claim. Current law grants the health care provider immunity for "ostensible agents" of the health care provider, so long as the health care provider ensures that persons providing independent professional services have adequate insurance coverage. HB 768 requires insurance coverage "for the length of time provided for in 27-2-205." Section 27-2-205, sets forth the statute of limitations for medical malpractice claims, and contains various time limits depending on the facts of the case. My amendment states that the insurance coverage be of the same duration as the time within which a malpractice lawsuit may be brought under 27-2-205, so as to clarify the requirement contained in the bill.

I have discussed my proposed amendment with the sponsor of the bill, Representative Gallik, who has expressed his support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Majority Leader Lange announced the Republicans would caucus. Democratic Caucus Leader Villa announced the Democratic would caucus.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 353, as amended by the Governor, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Witte, Mr. Speaker.

Total 90

Noes: Beck, Mendenhall, Ripley, Sinrud.

Total 4

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Grinde, Lambert, Milburn, Morgan, Thomas, Wiseman.

Total 6

HB 729, as amended by the Governor, passed as follows:

Ayes: Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 67

Noes: Ankney, Beck, Blasdel, Boggio, Clark, Everett, Hawk, Heinert, Hilbert, Himmelberger, Kasten, Kerns, Klock, Koopman, Lake, Malcolm, Mendenhall, Nooney, Peterson, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 28

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Kottel, Lambert, Milburn, Morgan, Witte.

Total 5

HJR 56 adopted as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, McGillvray, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 60

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McNutt, Mendenhall, O'Hara, Olson, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 37

Voted Absentee: Ross, No.

Excused: None.

Total 0

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Absent or not voting: Lambert, Milburn, Morgan.
Total 3

SB 4 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 94

Noes: Kasten, Sinrud, Stahl, Mr. Speaker.
Total 4

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Lambert, Morgan.
Total 2

SB 118, Free Conference Committee Report No. 1, adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 88

Noes: Bergren, Heinert, Himmelberger, Jore, Kasten, Kerns, Koopman, Mendenhall, Sinrud, Mr. Speaker.
Total 10

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Lambert, Morgan.
Total 2

SB 168, as amended by the Governor, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 84

Noes: Blasdel, Jayne, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Rice, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Mr. Speaker.

Total 16

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 201 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 64

Noes: Barrett, Beck, Blasdel, Boggio, Clark, Everett, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lambert, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 36

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 206 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa,

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Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Barrett, Beck, Everett, Heinert, Hilbert, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Nooney, Rice, Ripley, Ross, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 21

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: Kottel.
Total 1

SB 227 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 93

Noes: Jore, Lange, Mendenhall, Sinrud, Sonju, Witte, Mr. Speaker.
Total 7

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 31 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Boggio, Branae, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, French, Furey, Glaser, Grinde, Groesbeck, Hands, Hendrick, Himmelberger, Hiner, Ingraham, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Ward, Wiseman.
Total 60

Noes: Beck, Blasdel, Butcher, Caferro, Cohenour, Dickenson, Everett, Franklin, Gallik, Hamilton, Hawk, Heinert, Henry, Hilbert, Hollenbaugh, Jacobson, Jayne, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Milburn, Musgrove, Nooney, Rice, Ripley, Ross, Sinrud, Taylor, Van Dyk, Villa, Vincent, Wells, Wilmer, Wilson, Windy

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Boy, Witte, Mr. Speaker.
Total 40

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Olson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 166 - Representative Milburn moved **SB 166** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Bergren, Bixby, Caferro, Campbell, Cohenour, Cordier, Dickenson, Ebinger, French, Furey, Glaser, Grinde, Groesbeck, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Noonan, Nooney, Parker, Phillips, Pomnichowski, Reinhart, Ross, Sands, Sesso, Small-Eastman, Taylor, Thomas, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 51

Noes: Barrett, Beck, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Driscoll, Dutton, Erickson, Everett, Franklin, Gallik, Hamilton, Hands, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Malcolm, McGillvray, Mendenhall, Morgan, Musgrove, O'Hara, Olson, Peterson, Raser, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Van Dyk, Wells, Witte, Mr. Speaker.
Total 49

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 23 - Representative Lange moved **SJR 23** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 92

Noes: Butcher, Jayne, Mendenhall, Ripley, Ross, Taylor, Windy Boy.

Total 7

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: Vincent.

Total 1

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Olson moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 88

Noes: Bixby, Dutton, Ingraham, Mendenhall, Rice, Sinrud, Windy Boy.

Total 7

Excused: Ross.

Total 1

Absent or not voting: Everett, Grinde, Vincent, Wilson.

Total 4

Representative Bergren moved the Chamber go to Motions, Business #9. Motion passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

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Total 48

Excused: Ross.

Total 1

Absent or not voting: Butcher, Vincent.

Total 2

Due to voting discrepancy, vote was retaken. Motion passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Ward, Wells, Witte, Mr. Speaker.

Total 48

Excused: Ross.

Total 1

Absent or not voting: Everett, Vincent.

Total 2

Speaker Sales announced the House would recess for ten minutes.

MOTIONS

Representative Sinrud moved to reconsider action taken on the motion to proceed to Motions. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Wilmer, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilson, Windy Boy, Wiseman.

Total 48

Excused: Ross.

Total 1

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Absent or not voting: Malcolm.
Total 1

Representative Bergren moved to appeal the ruling of the Speaker. Representative Parker called for a Rules Committee. House recessed for a Rules Committee.

Representative Bergren moved to appeal the ruling of the Rules Committee upholding the Speaker's ruling. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Committee meetings were announced.

Majority Leader Lange moved the House stand at recess until 1:00 p.m.

House reconvened at 1:00. Mr. Speaker in the chair. All members present except for Representative Ross, excused.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Olson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 115 - Representative Milburn moved **SB 115** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Taylor, Thomas, Van

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Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 81

Noes: Ankney, Barrett, Boggio, Butcher, Everett, Heinert, Himmelberger, Jore, Kasten, Kerns, Lake, Lambert, Mendenhall, Morgan, Nooney, Rice, Sonju, Stahl, Wells.
Total 19

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 161 - Representative Lake moved **SB 161** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 94

Noes: Blasdel, Boggio, Jore, Koopman, Mendenhall, Sinrud.
Total 6

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 273 - Representative Hollenbaugh moved **SB 273** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 84

Noes: Boggio, Everett, Heinert, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Peterson, Stahl, Wells, Mr. Speaker.

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Total 14

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Glaser, L. Jones.

Total 2

SB 417 - Representative L. Jones moved **SB 417** be concurred in.

SB 417 - Representative Villa moved for cloture. There being no objection, so ordered.

SB 417 - The motion that **SB 417** be concurred in carried as follows:

Ayes: Ankney, Augare, Barrett, Becker, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 73

Noes: Arntzen, Beck, Bergren, Boggio, Butcher, Dutton, Everett, Hawk, Heinert, Hendrick, Himmelberger, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sinrud, Vincent, Wells, Witte, Mr. Speaker.

Total 26

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Lange.

Total 1

HB 160 - Conference Committee Report No. 1 - Representative Stoker moved the Conference Committee report to **HB 160** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

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Noes: Jore, Koopman, Mendenhall.
Total 3

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 304 - Conference Committee Report No. 1 - Representative Furey moved the Conference Committee report to **HB 304** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Beck, Blasdel, Boggio, Dutton, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Nooney, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.
Total 22

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 337 - Conference Committee Report No. 1 - Representative Cohenour moved the Conference Committee report to **HB 337** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 85

Noes: Boggio, Dutton, Everett, Hilbert, Himmelberger, Jore, Kasten, Koopman, McGillvray, Mendenhall, Rice, Sinrud, Vincent, Witte, Mr. Speaker.
Total 15

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Representative Olson moved consideration of **HB 462** be placed at the bottom of the second reading board There being no objection, so ordered.

HB 583 - Representative Sonju moved consideration of **HB 583** be passed for the day.

Representative Jopek objected to the consideration motion of **HB 583** being passed for the day.

The motion to pass consideration of **HB 583** carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Campbell, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 51

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Windy Boy, Wiseman.
Total 46

Excused: Ross.

Total 1

Absent or not voting: Sands, Wilson.

Total 2

HB 715 - Representative Olson moved consideration of **HB 715** be placed at the bottom of the second reading board There being no objections, so ordered.

HB 768 - Governor's Amendments - Representative Gallik moved Governor's amendments to **HB 768** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 78

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Heinert, Hilbert, Himmelberger, Jore, Kasten, Koopman, Mendenhall,

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Milburn, Ripley, Ross, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 22

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 829 - Free Conference Committee Report No. 1 - Representative L. Jones moved the Free Conference Committee report to **HB 829** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 81

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Jore, Kasten, Kerns, Koopman, Lambert, McGillvray, Mendenhall, Morgan, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 19

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 51 - Free Conference Committee Report No. 1 - Representative Koopman moved the Free Conference Committee report to **SB 51** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.
Total 88

Noes: Blasdel, Boggio, Hawk, Ingraham, Jayne, Jore, Kasten, Kerns, Mendenhall, Sinrud, Witte, Mr. Speaker.
Total 12

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Conference Committee Report No. 1 - Representative Everett moved the Conference Committee report to **SB 96** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Boggio, Hawk, Ingraham, Jayne, Jore, Kerns, Koopman, McGillvray, Mendenhall.

Total 9

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 276 - Free Conference Committee Report No. 1 - Representative Mendenhall moved the Free Conference Committee report to **SB 276** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Augare, Becker, Franklin, Gallik, Jore, Mendenhall.

Total 6

Voted Absentee: Ross, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 462 - Free Conference Committee Report No. 1 - Representative Sands moved the Free Conference Committee report to **HB 462** be adopted. Motion carried as follows:

Ayes: Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 72

Noes: Ankney, Becker, Boggio, Butcher, Clark, Everett, Furey, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lambert, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Peterson, Rice, Van Dyk, Vincent, Witte.

Total 28

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

At this time Speaker Sales assumed the chair.

HB 715 - Free Conference Committee Report No. 1 - Representative Olson moved the Free Conference Committee report to **HB 715** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Butcher, Gallik, Hawk, Himmelberger, Jayne, Mendenhall, Peterson.

Total 7

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Speaker Sales moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 92

Noes: Becker, Bergren, Jore, Koopman, Mendenhall.
Total 5

Excused: Ross.
Total 1

Absent or not voting: Musgrove, Sonju.
Total 2

MOTIONS

Representative Parker moved to place **HB 833** on second reading on Legislative Day 89 according to section 50-60-1 of the House rules.

Representative Stahl made a substitute motion to table the previous motion on **HB 833**. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

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Representative Caferro moved to have **SB 22** be placed on 2nd reading on Legislative Day 89. Motion passed as follows.

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 56

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 43

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Erickson moved to take **SB 220** from the Speaker's desk and place the bill on second reading on Legislative Day 89. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Noonan moved to take **HB 820** from the Speaker's desk and place the bill on second reading on Legislative Day 89. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy

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Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative Cohenour moved to take **SB 139** from the table in the Committee on Taxation, have it printed and placed on second reading on Legislative Day 89. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative Campbell moved that **HB 819** be taken from the Speaker's desk and be placed on second reading on Legislative Day 89. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

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Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Bergren moved that **HB 818** be placed on second reading on Legislative Day 89.

Motion passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 82

Noes: Beck, Blasdel, Boggio, Dutton, Heinert, Jore, Koopman, Mendenhall, Peterson, Rice, Ripley, Sinrud, Sonju, Taylor, Vincent, Windy Boy.

Total 16

Excused: Ross.

Total 1

Absent or not voting: Everett.

Total 1

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **Senate Amendments to House Bill 830**, by Representative Kasten, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Kasten
Representative Sinrud
Representative Thomas

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments to House Bill 818**, by Representative Taylor.

The Speaker appointed the following members:

Representative Sinrud
Representative Taylor
Representative Jayne

The motion was withdrawn.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 9:00 a.m., Thursday, April 26, 2007. Motion carried.

House adjourned at 3:35 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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60TH LEGISLATURE
EIGHTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 26, 2007

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Stoker. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ross, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

4/26/2007

Correctly enrolled: **HJR 61**.

Examined by the sponsor and found to be correct: **HJR 61, HB 368, HB 304, HB 715**.

Signed by the Chief Clerk of the House at 4:15 p.m., April 25, 2007: **HB 831, HJR 59**.

Signed by the President at 8:53 p.m., April 25, 2007: **HB 3, HB 39, HB 69, HB 155, HB 257, HB 330, HB 533, HB 687, HJR 50**.

Signed by the President at 9:10 p.m., April 25, 2007: **HB 4, HB 6, HB 7, HB 8, HB 24, HB 49, HB 96, HB 131, HB 141, HB 195, HB 240, HB 278, HB 480, HB 488, HB 512, HB 536, HB 608, HB 616, HB 668, HB 823, HB 840, HJR 28**.

Delivered to the Governor for approval at 12:00 p.m., April 26, 2007: **HB 3, HB 39, HB 69, HB 155, HB 257, HB 330, HB 533, HB 687, HB 4, HB 6, HB 7, HB 8, HB 24, HB 49, HB 96, HB 131, HB 141, HB 195, HB 240, HB 278, HB 480, HB 488, HB 512, HB 536, HB 608, HB 616, HB 668, HB 823, HB 840**.

Delivered to the Secretary of State at 12:05 p.m., April 26, 2007: **HJR 50, HJR 28**.

Correctly printed: **SJR 28**.

Correctly enrolled: **HB 304, HB 368, HB 715**.

EDUCATION (L. Jore, Chairman):

4/25/2007

SJR 28, be concurred in. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 304, Conference Committee Report No. 1, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.

Total 82

Noes: Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Jore, Kasten, Koopman, Lake, Mendenhall, Milburn, Ripley, Sonju, Taylor, Wells, Witte.

Total 17

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Jayne.

Total 1

HB 337, Conference Committee Report No. 1, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 83

Noes: Boggio, Dutton, Everett, Heinert, Himmelberger, Jore, Kasten, Koopman, Lake, McGillvray, Mendenhall, Morgan, Sinrud, Witte, Mr. Speaker.

Total 15

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Jayne, Rice.

Total 2

HB 462, Free Conference Committee Report No. 1, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kottel, Lake, Lange, MacLaren, McAlpin, McChesney, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 73

Noes: Becker, Boggio, Butcher, Clark, Everett, Furey, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lambert, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Ripley, Van Dyk, Vincent.

Total 25

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

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Absent or not voting: Jayne, Rice.
Total 2

HB 715, Free Conference Committee Report No. 1, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 91

Noes: Butcher, Everett, Gallik, Hawk, Mendenhall, Morgan, Peterson.
Total 7

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Jayne, Rice.
Total 2

HB 768, as amended by the Governor, passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Keane, Kerns, Kottel, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Wilmer, Wilson, Windy Boy, Wiseman.
Total 76

Noes: Beck, Blasdel, Boggio, Everett, Heinert, Hilbert, Jore, Kasten, Klock, Koopman, Lake, Malcolm, Mendenhall, Milburn, Ripley, Sinrud, Sonju, Taylor, Ward, Wells, Witte, Mr. Speaker.
Total 22

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Jayne, Rice.
Total 2

HB 829, Free Conference Committee Report No. 1, passed as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 83

Noes: Beck, Blasdel, Boggio, Butcher, Everett, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Ripley, Sinrud, Sonju, Wells.

Total 16

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Morgan.

Total 1

SB 51, Free Conference Committee Report No. 1, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 77

Noes: Blasdel, Boggio, Hawk, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Peterson, Rice, Sonju, Stahl, Taylor, Vincent, Witte, Mr. Speaker.

Total 23

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96, Conference Committee Report No. 1, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara,

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Total 86

Noes: Beck, Boggio, Hawk, Ingraham, Jayne, Jore, Kerns, Koopman, Lake, McGillvray, Mendenhall, Sinrud, Sonju, Witte.

Total 14

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 276, Free Conference Committee Report No. 1, concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Beck, Becker, Gallik, Kasten, Mendenhall, Sinrud, Sonju.

Total 7

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 115 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 87

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Noes: Boggio, Butcher, Everett, Himmelberger, Jore, Kasten, Kerns, Lake, Lambert, McGillvray, Mendenhall, Rice, Wells.

Total 13

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 161 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Blasdel, Boggio, Hilbert, Jore, Koopman, Mendenhall.

Total 6

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 166 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Bergren, Bixby, Caferro, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, French, Furey, Glaser, Grinde, Groesbeck, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, McAlpin, McChesney, McNutt, Milburn, Noonan, O'Hara, Olson, Parker, Phillips, Pomnichowski, Reinhart, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 58

Noes: Barrett, Becker, Blasdel, Boggio, Branae, Butcher, Callahan, Clark, Dutton, Erickson, Everett, Franklin, Gallik, Hamilton, Hands, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, L. Jones, Jore, Kasten, Kerns, Lake, Lambert, MacLaren, Malcolm, McGillvray, Mendenhall, Morgan, Musgrove, Nooney, Peterson, Raser, Rice, Ripley, Ross, Vincent, Wells, Mr. Speaker.

Total 42

Voted Absentee: Ross, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 273 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 87

Noes: Boggio, Everett, Heinert, Jore, Kasten, Kerns, Koopman, Malcolm, Mendenhall, Peterson, Wells, Witte, Mr. Speaker.
Total 13

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 417 concurred in as follows:

Ayes: Ankney, Augare, Becker, Bixby, Blasdel, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 75

Noes: Arntzen, Barrett, Beck, Bergren, Boggio, Butcher, Dutton, Everett, Hawk, Himmelberger, Jore, Kasten, Kerns, Koopman, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Wells, Witte, Mr. Speaker.
Total 24

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Lange.
Total 1

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SJR 23 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.

Total 91

Noes: Blasdel, Butcher, Jayne, Mendenhall, Ripley, Ross, Taylor, Vincent, Windy Boy.

Total 9

Voted Absentee: Ross, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 583 - Representative Bergren moved consideration of **HB 583** be passed for the day. Without objection, so ordered.

HB 818 - Governor's Amendments - Representative Taylor moved Governor's amendments to **HB 818** be **not** concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Witte.

Total 97

Noes: Windy Boy, Wiseman.

Total 2

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Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

SB 69 - Representative Sesso moved **SB 69** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Barrett, Everett, Hawk, Jore, Koopman, Mendenhall, Wells.

Total 7

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 25 - Conference Committee Report No. 1 - Representative Everett moved the Conference Committee report to **SB 25** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Mendenhall.

Total 1

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

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Absent or not voting: Stahl, Wells.
Total 2

SB 27 - Governor's Amendments - Representative Stoker moved Governor's amendments to **SB 27** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Mendenhall.
Total 1

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Lake.
Total 1

SB 103 - Conference Committee Report No. 1 - Representative Stahl moved the Conference Committee report to **SB 103** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Rice, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Mr. Speaker.
Total 82

Noes: Barrett, Blasdel, Boggio, Everett, Henry, Kasten, Koopman, Lambert, McGillvray, Mendenhall, Morgan, Pomnichowski, Ripley, Taylor, Vincent, Wells, Witte.
Total 17

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Jore.
Total 1

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SB 547 - Free Conference Committee Report No. 1 - Representative Sinrud moved the Free Conference Committee report to **SB 547** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Caferro, Jayne, W. Jones, Jopek, Mendenhall.

Total 5

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 550 - Conference Committee Report No. 1 - Representative Rice moved the Conference Committee report to **SB 550** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 98

Noes: McGillvray, Mendenhall.

Total 2

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

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Ayes: Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 93

Noes: Jayne, Jore, Mendenhall.

Total 3

Excused: Ross.

Total 1

Absent or not voting: Ankney, Hollenbaugh, Vincent.

Total 3

Speaker Sales announced the House would recess until 10:15 a.m.

The House reconvened at 10:20. Mr. Speaker in the chair. All members present except Representative Ross, excused.

MOTIONS

Majority Leader Lange moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate to confer on **Senate Amendments** to **House Bill 818**, by Representative Taylor.

The Speaker appointed the following members:

Representative Taylor
Representative Sinrud
Representative Bergren

There being no objections, so ordered.

Majority Leader Lange moved that the Speaker be authorized to dissolve the Conference Committee on **House Amendments** to **Senate Bill 316**, by Representative Kasten, and to appoint a new **Free** Conference Committee.

The Speaker appointed the following members:

Representative Mendenhall
Representative Lambert
Representative Jopek

There being no objections, so ordered.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 116**
Report No. 1, April 25, 2007

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Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 116** (reference copy - salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 116** (reference copy -- salmon) be amended as follows:

1. Title, line 20.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 15, line 27.

Following: "submit"

Strike: ", as" through "17-7-111,"

Insert: "to the legislative finance committee"

Following: "complete"

Insert: "annual"

3. Page 15, line 29.

Following: "report"

Insert: "by September 15 following the end of the fiscal year"

4. Page 21, line 29 through page 22, line 1.

Strike: line 29 through page 22, line 1

5. Page 39, line 1 through line 3.

Strike: subsection (1) in its entirety

Insert: "(1) For the biennium beginning July 1, 2007, the department of administration shall transfer \$500,000 from the general fund as follows:

(a) \$346,145 to the orphan share fund as provided for in 75-10-743; and

(b) \$153,855 to the environmental contingency account as provided for in 75-1-1101."

6. Page 39, line 16.

Following: line 15

Insert: "NEW SECTION. **Section 33. Termination.** [Section 9] terminates June 30, 2009. "

For the House:

Ripley, Chairman

Jore

Witte

For the Senate:

Wanzenried, Chairman

Laible

M. Tropila

Speaker Sales announced the House would stand in recess until 1:00.

House reconvened at 1:05. Mr. Speaker in the chair. All members present except Representative Ross, excused.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE

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on Senate Amendments to **House Bill 160**
Report No. 2, April 26, 2007

Mr. Speaker and Mr. President:

We, your Conference Committee met and considered Senate amendments to **House Bill 160** (reference copy --salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 160** (reference copy -- salmon) be amended as follows:

1. Page 1, line 12.

Strike: "\$446,987"

Insert: "\$822,774.07"

2. Page 1, line 13.

Following: "~~interest~~"

Insert: "plus interest"

3. Page 1, line 19.

Following: "~~interest~~"

Insert: "plus interest"

4. Page 1, line 22.

Strike: "\$5.40"

Insert: "\$5.94"

5. Page 1, line 23.

Strike: "\$14,242.87"

Insert: "\$14,500.19"

6. Page 1, line 24.

Strike: "\$737.95"

Insert: "\$761.97"

7. Page 1, line 25.

Strike: "\$5,881.98"

Insert: "\$6,060.68"

8. Page 1, line 26 through line 28.

Strike: lines 26 through 28 in their entirety

Renumber: subsequent subsections

9. Page 1, line 29.

Strike: "STATE SPECIAL REVENUE FUND"

Strike: "\$9.26"

Insert: "\$10.40"

10. Page 1, line 30.

Strike: "STATE SPECIAL REVENUE FUND"

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11. Page 2, line 1.

Strike: "\$17.06"

Insert: "\$19.24"

12. Page 2, line 2.

Following: "SCHOOLS"

Insert: "common schools"

Strike: "STATE SPECIAL REVENUE FUND"

13. Page 2, line 3.

Strike: "CAPITOL LAND GRANT PROJECTS FUND ("

Following: "BUILDINGS"

Strike: ")"

Strike: "\$25,848.25"

Insert: "\$29,149.38"

14. Page 2, line 12.

Strike: "TRANSFERRED"

Insert: "appropriated"

15. Page 2, line 13.

Following: the first "SCHOOLS"

Insert: "common schools"

Strike: "STATE SPECIAL REVENUE FUND"

16. Page 2, line 14.

Following: line 13

Insert: "common schools"

For the House:

Stoker, Chairman

Musgrove

Ripley

For the Senate:

Wanzenried, Chairman

Hawks

Laible

FREE CONFERENCE COMMITTEE

on **House Bill 592**

Report No. 1, April 25, 2007

Mr. Speaker and Mr. President:

We, your Free Conference Committee met and considered **House Bill 592** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 592** (reference copy -- salmon) be amended as follows:

1. Page 1, line 14 through line 15.

Following: "signs." on line 14

Strike: remainder of line 14 through line 15

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For the House:

Wilson, Chairman
Klock
McGillvray

For the Senate:

Schmidt, Chairman
Steinbeisser
M. Tropila

MESSAGES FROM THE SENATE

House bill passed and transmitted to the House for concurrence: 4/25/2007
HB 368, introduced by Himmelberger

SB 316 - The Senate acceded to the request of the House, dissolved the Conference Committee on Senate amendments to **SB 316**, and authorized the President to appoint the following **Free** Conference Committee to confer on **SB 316**: 4/25/2007

Senator Elliott, Chair
Senator Harrington
Senator J. Peterson

Conference Committee Report No.1 adopted: 4/25/2007
SB 96, House amendments, introduced by Williams
HB 304, Senate amendments, introduced by Furey

Free Conference Committee Report No.1 adopted: 4/25/2007
HB 715, introduced by Olson
SB 51, introduced by Hawks
SB 118, introduced by Cobb
SB 276, introduced by Steinbeisser

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE REPORT)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 116 - Conference Committee Report No. 1 - Representative Ripley moved the Conference Committee report to **HB 116** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman, Mendenhall.

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Total 3

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Morgan moved **SB 22** be concurred in.

Representative Keane moved for cloture. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Becker, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Glaser, Grinde, Hands, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jayne, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McChesney, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Rice, Ripley, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 73

Noes: Augare, Caferro, Cohenour, Dickenson, Franklin, French, Furey, Gallik, Groesbeck, Hamilton, Henry, Jacobson, W. Jones, Jopek, Kottel, McAlpin, McGillvray, Noonan, Pomnichowski, Reinhart, Sands, Sesso, Wilmer, Wilson, Windy Boy.

Total 25

Excused: Ross.

Total 1

Absent or not voting: Bergren.

Total 1

SB 22 - The motion that **SB 22** be concurred in, carried as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.

Total 39

Voted Absentee: Ross, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 205 - Representative Milburn moved **SB 205** be concurred in. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lake, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Wiseman, Witte, Mr. Speaker.
Total 85

Noes: Boggio, Butcher, Callahan, Gallik, Himmelberger, Jore, Kasten, Kerns, Lambert, Mendenhall, Morgan, Raser, Stahl, Wells.
Total 14

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: Windy Boy.
Total 1

SJR 26 - Representative Nooney moved **SJR 26** be concurred in. Motion carried as follows:

Ayes: Ankney, Augare, Beck, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, McAlpin, McChesney, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Sonju, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 60

Noes: Arntzen, Barrett, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Hawk, Heinert, Hendrick, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, Rice, Ripley, Ross, Sinrud, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 40

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 89

Noes: Hendrick, Himmelberger, Jore, Koopman, Mendenhall.

Total 5

Excused: Ross.

Total 1

Absent or not voting: French, Nooney, Sinrud, Sonju, Stahl.

Total 5

MOTIONS

Representative Bergren moved to bring **SB 155, SB 142, SB 220, HB 426, HB 819, HB 820, HB 833, and HB 515** from the Speaker's desk and be placed on second reading. Representative Bergren withdrew his motion.

Representative Bergren moved to suspend the rules to have **SB 69** placed on third reading of bills this day. Without objections, so ordered.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 69 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte.

Total 86

Noes: Barrett, Everett, Hawk, Himmelberger, Jore, Kasten, Koopman, Mendenhall, Ripley, Taylor, Vincent, Wells, Mr. Speaker.

Total 13

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Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Speaker Sales announced the House would be in recess until 5:00 p.m.

House reconvened at 5:00. Speaker in the chair. All members present except for Representative Ross, excused.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE
on **Senate Bill 316**
Report No. 1, April 26, 2007

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 316** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 316** (reference copy -- salmon) be amended as follows:

1. Title, line 9.

Following: "AN"

Insert: "IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE"

2. Page 3, line 20.

Insert: "COORDINATION SECTION. **Section 2. Coordination instruction.** If House Bill No. 488 and [this act] are both passed and approved, then [section 2] of House Bill No. 488 relating to the appropriation for the study of the revaluation of certain property, including agricultural land, must read as follows:

"NEW SECTION. **Section 2. Appropriation.** There is appropriated \$50,000 from the general fund to the legislative services division for the 2009 biennium for the operating expenses and personnel expenses related to the study required by [section 1] of House Bill No. 488.""

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval."

Renumber: subsequent section

3. Page 3, line 21.

Following: "Applicability"

Insert: "-- retroactive applicability"

4. Page 3, line 25.

Following: "applies"

Insert: "retroactively, within the meaning of 1-2-109,"

For the Senate:

Elliott, Chairman
Harrington
J. Peterson

For the House:

Mendenhall, Chairman
Jopek
Lambert

MESSAGES FROM THE GOVERNOR

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April 26, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 683, "AN ACT PROVIDING THAT A FULL GUARDIAN MAY NOT CONSENT TO THE WITHHOLDING OR WITHDRAWAL OF LIFE SUSTAINING TREATMENT OR TO A DO NOT RESUSCITATE ORDER IF THE GUARDIAN DOES NOT HAVE CONSENT AUTHORITY PURSUANT TO THE MONTANA RIGHTS OF THE TERMINALLY ILL ACT, THE LAWS PROVIDING FOR DO NOT RESUSCITATE ORDERS, OR A COURT ORDER; AND AMENDING SECTIONS 50-9-106 AND 72-5-321, MCA."

HB 683 codifies current practice that a guardian of an incapacitated person may not withhold or withdraw life sustaining treatment absent a legal written advanced directive under the Montana Rights of the Terminally Ill Act and the do not resuscitate provisions of Montana law. HB 683 clarifies that absent a written directive, the guardian must petition a court for permission to withdraw treatment. My proposed amendment is intended to clarify that the standard employed by the court when acting on a petition under the guardianship laws is the same as the standard the court employs under the Montana Rights of the Terminally Ill Act.

I have discussed my proposed amendment with the sponsor of the bill, Representative Reinhart, who has expressed her support.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE REPORT)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 592 - Free Conference Committee Report No. 1 - Representative Wilson moved the Free Conference Committee report to **HB 592** be adopted. Motion carried as follows:

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Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 91

Noes: Everett, Jore, Koopman, Lake, Mendenhall, O'Hara, Sinrud, Witte, Mr. Speaker.

Total 9

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 160 - Conference Committee Report No. 1 - Representative Stoker moved the Conference Committee report to **HB 160** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 97

Noes: Jore, Koopman, Mendenhall.

Total 3

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French,

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Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Himmelberger, Hiner, Ingraham, Jacobson, Jayne, W. Jones, Jopek, Kasten, Kerns, Kottel, Lake, Lambert, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Jore, Koopman, Sonju.
Total 3

Excused: Ross.
Total 1

Absent or not voting: Butcher, Hawk, Hilbert, Hollenbaugh, L. Jones, Keane, Klock, Lange, MacLaren, McChesney, Mendenhall, Nooney.
Total 12

Speaker Sales announced the House would stand at recess until 8:00 p.m.

House reconvened at 8:00 p.m. Mr. Speaker in the chair. All members present except Representative Ross, excused.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in: 4/26/2007

SB 524, introduced by Wanzenried

HB 828, introduced by Olson. **HB 828** concurred in as amended and returned to the House for concurrence in Senate amendments: This amended bill was returned after the deadline for Revenue Bills. Joint rule 40-200 requires a two-thirds vote for the bill to be considered by the receiving house. 4/26/2007

House bill concurred in and returned to the House: 4/26/2007

HB 577, introduced by Caferro

House **joint resolutions** concurred in and returned to the House: 4/26/2007

HJR 47, introduced by French

HJR 48, introduced by MacLaren

HJR 52, introduced by Dickenson

HJR 57, introduced by Jopek

Conference Committee Report No. 1 adopted: 4/26/2007

HB 337, introduced by Cohenour

Free Conference Committee Report No.1 adopted: 4/26/2007

HB 462, introduced by Sands

HB 829, introduced by L. Jones

HB 818 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on **HB 818**:

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4/26/2007

Senator Larson, Chair
Senator Laible
Senator Wanzenried

MESSAGES FROM THE GOVERNOR

April 26, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill (HB) 406, "AN ACT EXPANDING ACCESS TO HEALTH CARE SERVICES BY ESTABLISHING A GRANT PROGRAM FOR COMMUNITY HEALTH CENTERS; CREATING AN ADVISORY GROUP; REQUIRING A REPORT TO THE LEGISLATURE; TRANSFERRING GENERAL FUND MONEY; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

HB 406 establishes a grant program for local community health centers, to be administered by the Department of Public Health and Human Services (DPHHS). The bill appropriates \$650,000 from the general fund for each year of the biennium to DPHHS to be allocated to communities. However, the bill neglects to direct any appropriations to DPHHS for the costs incurred in administering the program, such as setting up the program, establishing a grant process, determining federal eligibility requirements, staffing the advisory committee established in the bill, or paying the travel and reimbursement expenses of the advisory committee.

My proposed amendment authorizes DPHHS to spend up to .5% of the amount appropriated to cover its administrative expenses.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

cc: Legislative Services Division

Democratic Caucus Leader Villa announced the Democrats would caucus. Majority Leader Lange announced the Republicans would stand at ease.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE REPORT)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business

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on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 683 - Governor's Amendments - Representative Reinhart moved Governor's amendments to **HB 683** be concurred in. Motion carried as follows:

Ayes: Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Ross, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 71

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Hawk, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Rice, Ripley, Sinrud, Sonju, Taylor, Wells, Witte, Mr. Speaker.

Total 28

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

SB 316 - Free Conference Committee Report No. 1 - Representative Lambert moved the Free Conference Committee report to **SB 316** be adopted. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Boggio, Gallik, Jore, Mendenhall.

Total 4

Voted Absentee: Ross, Aye.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

Majority Leader Lange moved the committee rise and report. Representative Bergren made a **substitute motion** that the committee rise and report progress and to beg leave sit again. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange moved the Committee of the Whole report be adopted.

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Bergren, Blasdel, Boggio, Butcher, Caferro, Clark, Cohenour, Cordier, Dutton, Ebinger, Erickson, Everett, Franklin, Gallik, Glaser, Groesbeck, Hawk, Hendrick, Hilbert,

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Himmelberger, Ingraham, L. Jones, W. Jones, Kasten, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Milburn, Morgan, Nooney, O'Hara, Olson, Parker, Peterson, Pomnichowski, Reinhart, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Villa, Vincent, Ward, Wells, Wilmer, Wiseman, Witte, Mr. Speaker.

Total 64

Noes: Becker, Bixby, Branae, Callahan, Campbell, Dickenson, French, Furey, Grinde, Hamilton, Hands, Henry, Hiner, Jacobson, Jayne, Jopek, Keane, McChesney, Mendenhall, Musgrove, Noonan, Phillips, Raser, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Wilson, Windy Boy.

Total 30

Excused: Ross.

Total 1

Absent or not voting: Driscoll, Heinert, Hollenbaugh, Jore, Koopman.

Total 5

MOTIONS

Representative Bergren moved to bring **SB 155, SB 142, SB 220, HB 426, HB 819, HB 820, HB 833, HB 515, SB 531** from the Speaker's desk and placed on second reading.

Majority Leader Lange moved to divide the question. Motion carried as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Noonan moved to bring **HB 820** from the Speaker's desk and placed on second reading on Legislative Day 90. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

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Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative McAlpin moved to bring **HB 833** from the Speaker's desk and placed on second reading on Legislative Day 90.

Representative McAlpin moved to withdraw his motion to bring **HB 833** from the Speaker's desk.

Representative McAlpin moved to reconsider action taken to table **HB 833** and bring it back to the floor. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Erickson moved to bring **SB 220** from the Speaker's desk and placed on second reading on Legislative Day 90. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative French moved to bring **SB 142** from the Speaker's desk and placed on second reading on Legislative Day 90. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative Hiner moved to bring **SB 155** from the Speaker's desk and placed on second reading on Legislative Day 90. Motion passed as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, W. Jones, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 50

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Excused: Ross.

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Total 1

Absent or not voting: None.

Total 0

Representative Campbell moved to bring **HB 819** from the Speaker's desk and placed on second reading on Legislative Day 90. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 48

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: Sesso.

Total 1

Representative Sesso moved to bring **SB 531** from the table in the Committee on Business and Labor, have it printed and placed on second reading on Legislative Day 90. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 50

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Deans of the Legislature, Representative Franklin and Representative Glaser, thanked Speaker Sales for his work during the session and presented him with a gift.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Lange moved that the House adjourn until 1:00 p.m., Friday, April 27, 2007. Motion carried.

House adjourned at 9:40 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

**HOUSE JOURNAL
60TH LEGISLATURE
NINETIETH LEGISLATIVE DAY**

Helena, Montana
April 27, 2007

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker in the Chair. Invocation by Representative Wells. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Ross, excused. Quorum present.

Mr. Speaker: We, your committee on Legislative Administration/Bills and Journal, having examined the daily journals for the eighty-fourth, eighty-fifth, and eighty-sixth legislative days, find the same to be correct.

L. Jones, Chair

REPORTS OF STANDING COMMITTEES

BILLS (L. Jones, Chairman): 4/27/2007
Signed by the President at 7:11 p.m., April 26, 2007: **HB 831, HJR 59.**
Correctly enrolled: **HB 337, HB 462, HB 577, HB 829, HJR 47, HJR 48, HJR 52, HJR 57.** 4/27/2007
Examined by the sponsor and found to be correct: **HJR 47, HB 829, HJR 52, HJR 57, HJR 48, HB 337, HB 577, HB 462.**
Delivered to the Secretary of State at 11:37 a.m., April 27, 2007: **HJR 59.**
Delivered to the Governor for approval at 11:30 a.m., April 27, 2007: **HB 831.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/27/2007
HB 491, introduced by Sinrud
HJR 31, introduced by Everett
HJR 46, introduced by Sands

Conference Committee Reports No.1 adopted: 4/26/2007
SB 25, introduced by Larson
SB 103, introduced by Lind
SB 550, introduced by Laible

Free Conference Committee Report No.1 adopted: 4/27/2007
SB 547, introduced by Perry

House amendments to House bill concurred in: 4/27/2007
HB 357, introduced by Cohenour

Free Conference Committee Reports No.1 adopted: 4/27/2007
HB 592, introduced by Wilson
HB 316, introduced by Elliott

Conference Committee Reports No.1 adopted: 4/27/2007
HB 116, introduced by Ripley
HB 160, introduced by Stoker

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House amendments to Senate bills concurred in:

4/27/2007

SB 69, introduced by Wanzenried

SB 161, introduced by Laible

SB 393, introduced by Gillan

MESSAGES FROM THE GOVERNOR

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

Dear Speaker Sales:

You will find attached a list of bills I signed on Tuesday, April 26th, 2007 that were delivered to the Secretary of State this date.

On Thursday, April 26, 2007, I also returned House Bill 406 (Clark) and 683 (Reinhart) with Amendatory Vetoes.

Sincerely,

BRIAN SCHWEITZER
Governor

- Page 2 -

House Bill 19 sponsored by Representative McNutt
House Bill 26 sponsored by Representative McGillvray
House Bill 77 sponsored by Representative Clark
House Bill 83 sponsored by Representative Hiner
House Bill 117 sponsored by Representative Henry
House Bill 154 sponsored by Representative Clark
House Bill 235 sponsored by Representative Dutton
House Bill 272 sponsored by Representative L. Jones
House Bill 283 sponsored by Representative Campbell
House Bill 291 sponsored by Representative Ross
House Bill 300 sponsored by Representative Milburn
House Bill 310 sponsored by Representative Dutton
House Bill 319 sponsored by Representative Glaser
House Bill 328 sponsored by Representative Stahl
House Bill 364 sponsored by Representative Malcolm
House Bill 389 sponsored by Representative Barrett
House Bill 414 sponsored by Representative Reinhart
House Bill 415 sponsored by Representative Ripley
House Bill 428 sponsored by Representative Gallik
House Bill 435 sponsored by Representative Parker
House Bill 459 sponsored by Representative Heinert
House Bill 460 sponsored by Representative Keane

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House Bill 467 sponsored by Representative K. Peterson
House Bill 468 sponsored by Representative McGillvray
House Bill 487 sponsored by Representative Hiner
House Bill 520 sponsored by Representative Arntzen
House Bill 524 sponsored by Representative Hamilton
House Bill 537 sponsored by Representative Ripley
House Bill 630 sponsored by Representative Gallik
House Bill 633 sponsored by Representative Dutton
House Bill 634 sponsored by Representative Van Dyk
House Bill 672 sponsored by Representative Glaser
House Bill 688 sponsored by Representative Olson
House Bill 690 sponsored by Representative Bergren
House Bill 742 sponsored by Representative Raser
House Bill 743 sponsored by Representative Clark
House Bill 744 sponsored by Representative Rice
House Bill 771 sponsored by Representative Jones
House Bill 778 sponsored by Representative Stahl
House Bill 781 sponsored by Representative Windy Boy
House Bill 785 sponsored by Representative Lange
House Bill 811 sponsored by Representative Wells

Majority Leader Lange announced the Republicans would caucus. Caucus Leader Villa announced the Democrats would caucus.

House reconvened at 1:25 p.m.

Majority Leader Lange moved to bring **HB 491** with **Senate amendments** to the floor and have it placed on second reading. Without objections, so ordered.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sales in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 491 - Representative Sinrud moved **HB 491**, as amended, do pass. Motion carried as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Ross, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 99

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Noes: Jayne.
Total 1

Voted Absentee: Ross, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report.

Representative Bergren made a **substitute motion** that the Committee rise, report and beg sit again. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Speaker Sales moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

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Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Lange moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Sales in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 155 - Representative Hiner moved **SB 155** be concurred in.

SB 155 - Representative Hiner moved to amend **SB 155**.

1. Title, line 8.

Following: "~~MCA~~;"

Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE HEALTH AND MEDICAID INITIATIVES ACCOUNT TO THE OLDER MONTANANS TRUST FUND; AMENDING SECTIONS 17-7-302, 17-7-304, AND 53-6-1201, MCA;"

2. Title, line 9.

Following: "~~DATE~~"

Insert: "AND A TERMINATION DATE"

3. Page 5.

Following: line 9

Insert: "**Section 2.** Section 17-7-302, MCA, is amended to read:

"17-7-302. Encumbrance of fiscal yearend obligations. (1) Any valid obligation not paid within the fiscal year, including valid written interagency or intra-agency service agreements for systems development, ~~shall be~~ is encumbered for payment ~~thereof~~ of the obligation at the end of each fiscal year in the department of administration's accounts. Except as provided in subsection (2), an appropriation ~~shall be deemed to be~~ is considered encumbered at the time and to the extent that a valid obligation against the appropriation is created.

(2) An appropriation may be encumbered by a written interagency or intra-agency agreement with the department for the alteration, repair, maintenance, or renovation of a building pursuant to the provisions of Title 18, chapter 2. ~~If~~ Except as provided in 53-6-1201(4), if the appropriation is not encumbered by a valid obligation at the end of the next fiscal year, the appropriation reverts to the fund from which it was originally appropriated.""

Insert: "**Section 3.** Section 17-7-304, MCA, is amended to read:

"17-7-304. Disposal of unexpended appropriations. (1) All money appropriated for any specific purpose except that appropriated for the university system units listed in subsection (2) [or state money appropriated for the state children's health insurance program provided for in Title 53, chapter 4, part 10,] and except as provided in subsection (4) ~~and 53-6-1201(4)~~ must, after the expiration of the time for which appropriated, revert to the several funds and accounts from which originally appropriated. However, any unexpended balance in any specific appropriation may be used for the years for which the appropriation was made or may be used to fund the provisions of 2-18-1203 through 2-18-1205 and 19-2-706 in the succeeding year.

(2) Except as provided in 17-2-108 and subsection (3) of this section, all money appropriated for the university of Montana campuses at Missoula, Butte, Dillon, and Helena and the Montana state university campuses

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at Bozeman, Billings, Havre, and Great Falls, the agricultural experiment station with central offices at Bozeman, the forest and conservation experiment station with central offices at Missoula, the cooperative extension service with central offices at Bozeman, and the bureau of mines and geology with central offices in Butte must, after the expiration of the time for which appropriated, revert to an account held by the board of regents. The board of regents is authorized to maintain a fund balance. There is a statutory appropriation, as provided in 17-7-502, to use the funds held in this account in accordance with a long-term plan for major and deferred maintenance expenditures and equipment or fixed assets purchases prepared by the affected university system units and approved by the board of regents. The affected university system units may, with the approval of the board of regents, modify the long-term plan at any time to address changing needs and priorities. The board of regents shall communicate the plan to each legislature, to the finance committee when requested by the committee, and to the office of budget and program planning.

(3) Subsection (2) does not apply to reversions that are the result of a reduction in spending directed by the governor pursuant to 17-7-140. Any amount that is a result of a reduction in spending directed by the governor must revert to the fund or account from which it was originally appropriated.

(4) (a) Subject to subsection (4)(b), after the end of a fiscal year, 30% of the money appropriated to an agency for that year by the general appropriations act for personal services, operating expenses, and equipment, by fund type, and remaining unexpended and unencumbered at the end of the year may be reappropriated to be spent during the following 2 years for any purpose that is consistent with the goals and objectives of the agency. The dollar amount of the 30% amount that may be carried forward and spent must be determined by the office of budget and program planning.

(b) (i) Any portion of the 30% of the unexpended and unencumbered money referred to in subsection (4)(a) that was appropriated to a legislative branch entity may be deposited in the account established in 5-11-407.

(ii) After the end of a biennium, any portion of the unexpended and unencumbered money appropriated for the operation of the preceding legislature in a separate appropriation act may be deposited in the account established in 5-11-407. The approving authority shall determine the portion of the unexpended and unencumbered money that is deposited in the account. (Bracketed language terminates on occurrence of contingency--sec. 7, Ch. 565, L. 2005.)"

Insert: "Section 4. Section 53-6-1201, MCA, is amended to read:

"53-6-1201. Special revenue fund -- health and medicaid initiatives. (1) There is a health and medicaid initiatives account in the state special revenue fund established by 17-2-102. This account is to be administered by the department of public health and human services.

(2) There must be deposited in the account:

(a) money from cigarette taxes deposited under 16-11-119(1)(c);

(b) money from taxes on tobacco products other than cigarettes deposited under 16-11-119(3)(b); and

(c) any interest and income earned on the account.

(3) This account may be used only to provide funding for:

(a) the state funds necessary to take full advantage of available federal matching funds in order to maximize enrollment of eligible children under the children's health insurance program, provided for under Title 53, chapter 4, part 10, and to provide outreach to the eligible children. The increased revenue in this account is intended to increase enrollment rates for eligible children in the program and not to be used to support existing levels of enrollment based upon appropriations for the biennium ending June 30, 2005.

(b) a new need-based prescription drug program established by the legislature for children, seniors, chronically ill, and disabled persons that does not supplant similar services provided under any existing program;

(c) increased medicaid services and medicaid provider rates. The increased revenue is intended to increase medicaid services and medicaid provider rates and not to supplant the general fund in the trended traditional level of appropriation for medicaid services and medicaid provider rates.

(d) an offset to loss of revenue to the general fund as a result of new tax credits;

(e) to fund new programs to assist eligible small employers with the costs of providing health insurance benefits to eligible employees;

(f) the cost of administering the tax credit, the purchasing pool, and the premium incentive payments and premium assistance payments as provided in Title 33, chapter 22, part 20; and

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(g) to provide a state match for the medicaid program for premium incentive payments or premium assistance payments to the extent that a waiver is granted by federal law as provided in 53-2-216.

(4) Money appropriated but not expended for the prescription drug program described in subsection (3)(b) must be transferred annually to the older Montanans trust fund provided for in [section 1].

~~(4)(5) (a) Except for \$1 million appropriated for the startup costs of 53-6-1004 and 53-6-1005, the money appropriated for fiscal year 2006 for the programs in subsections (3)(b) and (3)(d) through (3)(g) may not be expended until the office of budget and program planning has certified that \$25 million has been deposited in the account provided for in this section or December 1, 2005, whichever occurs earlier.~~

~~(b)(a)~~ On or before July 1, the budget director shall calculate a balance required to sustain each program in subsection (3) for each fiscal year of the biennium. If the budget director certifies that the reserve balance will be sufficient, then the agencies may expend the revenue for the programs as appropriated. If the budget director determines that the reserve balance of the revenue will not support the level of appropriation, the budget director shall notify each agency. Upon receipt of the notification, the agency shall adjust the operating budget for the program to reflect the available revenue as determined by the budget director.

~~(c)(b)~~ Until the programs or credits described in subsections (3)(b) and (3)(d) through (3)(g) are established, the funding must be used exclusively for the purposes described in subsections (3)(a) and (3)(c).

~~(5)(6)~~ The phrase "trended traditional level of appropriation", as used in subsection (3)(c), means the appropriation amounts, including supplemental appropriations, as those amounts were set based on eligibility standards, services authorized, and payment amount during the past five biennial budgets.

~~(6)(7)~~ The department of public health and human services may adopt rules to implement this section."

Renumber: subsequent sections

4. Page 5.

Following: line 16

Insert: "NEW SECTION. Section 7. Termination. [Sections 2 through 4] terminate July 1, 2007."

Amendment adopted as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, Malcolm, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Small-Eastman, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 40

Excused: Ross.
Total 1

Absent or not voting: Sesso.
Total 1

SB 155 - The motion to concur in **SB 155**, as amended, carried as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier,

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Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, Lange, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 59

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Jore, Kasten, Kerns, Klock, Koopman, Lake, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, O'Hara, Peterson, Rice, Ripley, Ross, Sinrud, Sonju, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 41

Voted Absentee: Ross, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Pursuant to House Rule 41-60, Subsection 1, Subsection B, Representative Gallik moved to reconsider action taken on **HB 820** and that it be taken from the Speaker's desk and placed on second reading this day. Motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 49

Excused: Ross.
Total 1

Absent or not voting: Olson.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 116 passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro,

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Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 97

Noes: Jore, Koopman.
Total 2

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

HB 160 - Conference Committee Report No. 1 - passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 95

Noes: Jore, Koopman, Mendenhall.
Total 3

Excused: Ross.
Total 1

Absent or not voting: Dickenson.
Total 1

HB 592 - Free Conference Committee Report No. 1 - passed as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Koopman, Kottel, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte.
Total 92

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Noes: Everett, Jore, Kasten, Lake, McGillvray, Mendenhall, Mr. Speaker.
Total 7

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 205 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Caferro, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Koopman, Kottel, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 84

Noes: Boggio, Butcher, Callahan, Everett, Glaser, Jore, Kasten, Kerns, Lake, Lambert, Mendenhall, Morgan, Raser, Stahl, Wells.
Total 15

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SJR 26 concurred in as follows:

Ayes: Ankney, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Hawk, Henry, Hiner, Hollenbaugh, Jacobson, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, Olson, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 58

Noes: Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jayne, Jore, Kasten, Kerns, Koopman, Lambert, Lange, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, O'Hara, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 41

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

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SB 25 - Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.
Total 98

Noes: Jore.
Total 1

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 103 - Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kerns, Klock, Kottel, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Raser, Reinhart, Sands, Sesso, Small-Eastman, Stahl, Stoker, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.
Total 73

Noes: Barrett, Beck, Blasdel, Boggio, Everett, Glaser, Hawk, Jore, Kasten, Koopman, Lake, Lambert, Lange, McGillvray, Mendenhall, Morgan, Pomnichowski, Rice, Ripley, Sinrud, Sonju, Taylor, Vincent, Wells, Witte, Mr. Speaker.
Total 26

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

SB 316 - Free Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McNutt, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser,

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Reinhart, Rice, Ripley, Sands, Sesso, Small-Eastman, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 94

Noes: Boggio, McGillvray, Mendenhall, Sinrud, Sonju.

Total 5

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

SB 547 - Free Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, Jore, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 95

Noes: Caferro, Jayne, W. Jones, Jopek.

Total 4

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

SB 550 - Conference Committee Report No. 1 - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lake, Lambert, Lange, MacLaren, McAlpin, McChesney, McNutt, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Sands, Sesso, Small-Eastman, Sonju, Stoker, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman.

Total 82

Noes: Blasdel, Everett, Jore, Kasten, Kerns, Koopman, Malcolm, McGillvray, Mendenhall, Milburn, Morgan, Ripley, Sinrud, Stahl, Taylor, Witte, Mr. Speaker.

Total 17

Excused: Ross.

Total 1

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Absent or not voting: None.

Total 0

SB 22 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Klock, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Taylor, Thomas, Van Dyk, Villa, Ward, Wilmer, Wilson, Windy Boy, Wiseman.

Total 63

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, Jore, Kasten, Kerns, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Vincent, Wells, Witte, Mr. Speaker.

Total 36

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

HB 491 - Senate amendments - concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Barrett, Beck, Becker, Bergren, Bixby, Blasdel, Boggio, Branae, Butcher, Caferro, Callahan, Campbell, Clark, Cohenour, Cordier, Dickenson, Driscoll, Dutton, Ebinger, Erickson, Everett, Franklin, French, Furey, Gallik, Glaser, Grinde, Groesbeck, Hamilton, Hands, Hawk, Heinert, Hendrick, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, L. Jones, W. Jones, Jopek, Kasten, Keane, Kerns, Klock, Koopman, Kottel, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McChesney, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Parker, Peterson, Phillips, Pomnichowski, Raser, Reinhart, Rice, Ripley, Sands, Sesso, Sinrud, Small-Eastman, Sonju, Stoker, Taylor, Thomas, Van Dyk, Villa, Vincent, Ward, Wells, Wilmer, Wilson, Windy Boy, Wiseman, Witte, Mr. Speaker.

Total 96

Noes: Jayne, Jore.

Total 2

Excused: Ross.

Total 1

Absent or not voting: Stahl.

Total 1

SB 155 concurred in as follows:

Ayes: Ankney, Arntzen, Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hilbert, Himmelberger, Hiner, Hollenbaugh, Ingraham, Jacobson, Jayne, L. Jones, W. Jones, Jopek, Keane, Kottel, Lambert, McAlpin, McChesney, McNutt, Morgan, Musgrove, Noonan, O'Hara, Olson, Parker, Phillips,

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Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 61

Noes: Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lange, MacLaren, Malcolm, McGillvray, Mendenhall, Milburn, Nooney, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.

Total 38

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Lange moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair. Chairman Sales moved the Committee of the Whole report be adopted. Report adopted as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Bergren, Blasdel, Boggio, Branae, Butcher, Caferro, Campbell, Clark, Cordier, Dutton, Ebinger, Erickson, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Hiner, Ingraham, Jayne, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McAlpin, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Musgrove, Noonan, Nooney, O'Hara, Olson, Peterson, Reinhart, Rice, Ripley, Sesso, Sinrud, Small-Eastman, Sonju, Stahl, Stoker, Taylor, Thomas, Vincent, Ward, Wells, Wiseman, Witte, Mr. Speaker.

Total 66

Noes: Augare, Becker, Bixby, Callahan, Cohenour, Dickenson, Driscoll, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Himmelberger, Hollenbaugh, Jacobson, Jopek, Keane, Kottel, McChesney, Parker, Phillips, Pomnichowski, Raser, Sands, Van Dyk, Villa, Wilmer, Wilson, Windy Boy.

Total 33

Excused: Ross.

Total 1

Absent or not voting: None.

Total 0

Representative Parker gave his closing remarks.

Majority Leader Lange gave his closing remarks.

Representative Glaser moved to Sine Die. Representative Parker made a substitute motion to Sine Die at 11:00 on Saturday. Representative Parker's substitute motion **failed** as follows:

Ayes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.

Total 49

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Noes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

Representative Glaser's motion to Sine Die passed as follows:

Ayes: Ankney, Arntzen, Barrett, Beck, Blasdel, Boggio, Butcher, Clark, Dutton, Everett, Glaser, Hawk, Heinert, Hendrick, Hilbert, Himmelberger, Ingraham, L. Jones, W. Jones, Jore, Kasten, Kerns, Klock, Koopman, Lake, Lambert, Lange, MacLaren, Malcolm, McGillvray, McNutt, Mendenhall, Milburn, Morgan, Nooney, O'Hara, Olson, Peterson, Rice, Ripley, Sinrud, Sonju, Stahl, Stoker, Taylor, Vincent, Ward, Wells, Witte, Mr. Speaker.
Total 50

Noes: Augare, Becker, Bergren, Bixby, Branae, Caferro, Callahan, Campbell, Cohenour, Cordier, Dickenson, Driscoll, Ebinger, Erickson, Franklin, French, Furey, Gallik, Grinde, Groesbeck, Hamilton, Hands, Henry, Hiner, Hollenbaugh, Jacobson, Jayne, Jopek, Keane, Kottel, McAlpin, McChesney, Musgrove, Noonan, Parker, Phillips, Pomnichowski, Raser, Reinhart, Sands, Sesso, Small-Eastman, Thomas, Van Dyk, Villa, Wilmer, Wilson, Windy Boy, Wiseman.
Total 49

Excused: Ross.
Total 1

Absent or not voting: None.
Total 0

House adjourned sine die at 2:45 p.m.

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House

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ADDENDUM

Helena, Montana
2007

House Chambers
State Capitol

COMMUNICATIONS AND PETITIONS

May 9, 2007

Ms. Marilyn Miller
Chief Clerk
House of Representatives
Helena, Montana 59620

Dear Marilyn:

Please be informed that I have appointed the following members to various committees:

Legislative Branch Computer Systems Planning Council: Marilyn Miller

Legislative Audit Committee:

Rep. Bill Glaser
Rep. John Sinrud
Rep. Bill Beck
Rep. Betsy Hands
Rep. Hal Jacobson
Rep. Mike Phillips

Legislative Finance Committee:

Rep. Janna Taylor
Rep. Dave Kasten
Rep. Rick Ripley
Rep. Jon Sesso
Rep. Ron Erickson
Rep. Cynthia Hiner

Economic Affairs Interim Committee:

Rep. Scott Mendenhall
Rep. Mike Milburn
Rep. Bill Thomas
Rep. Michele Reinhart

Education and Local Government Interim Committee:

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Rep. Bill Nooney
Rep. John Ward
Rep. Bob Lake
Rep. Robin Hamilton
Rep. Gary Branae
Rep. Wanda Grinde

Energy and Telecommunications Interim Committee:

Rep. Duane Ankney
Rep. Harry Klock
Rep. Robyn Driscoll
Rep. Brady Wiseman

Law and Justice Interim Committee:

Rep. Krayton Kerns
Rep. Ron Stoker
Rep. Tom McGillvray
Rep. Deb Kottel
Rep. Bob Ebinger
Rep. Shannon Augare

State Administration and Veterans' Affairs Interim Committee:

Rep. Pat Ingraham
Rep. Gary MacLaren
Rep. Veronica Small-Eastman
Rep. Franke Wilmer

State-Tribal Relations Committee:

Rep. Gordon Hendrick
Rep. Ken Peterson
Rep. Joey Jayne
Rep. Jonathan Windy Boy

Pacific Northwest Economic Region:

Rep. George Everett

Board of Research and Commercialization Technology (Montana):

Mr. Todd Graetz

Board of Review for One-Stop Licensing:

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Jeff Pattison

Capital Complex Advisory Council:

Rep. Elsie Arntzen

Rep. Mary Caferro

Consensus Council (Montana):

David Halvorson

Electronic Government Advisory Council:

Rep. Ernie Dutton

Future Fisheries Review Panel:

Rep. Rick Jore

Gaming Advisory Council:

Rep. Mark Blasdel

Heritage Preservation and Development Commission (Montana):

Rep. Diane Rice

Information Technology Board:

Rep. Bill Beck

Legislative Oversight Committee on Montana-ARCO Litigation:

Rep. Jesse O'Hara

Rep. Jim Keane

Reserve Water Rights Compact Commission:

Rep. Art Noonan

Rep. Jack Ross

Sincerely,

SCOTT SALES

Speaker of the House

REPORTS OF STANDING COMMITTEES

BILLS (Jones, Chairman):

5/10/2007

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Correctly enrolled: **HB 116, HB 160, HB 353, HB 357, HB 491, HB 592, HB 729, HB 768.**
Signed by the Chief Clerk of the House at 5:30 p.m., April 26, 2007: **HB 304, HB 368, HB 715.**
Signed by the Speaker at 5:00 p.m., May 2, 2007: **HB 304, HB 368, HB 715.**
Signed by the Chief Clerk of the House at 11:30 a.m., April 27, 2007: **HB 25.**
Signed by the Speaker at 5:00 p.m., May 2, 2007: **HB 25**
Signed by the Chief Clerk of the House at 2:55 p.m., April 27, 2007: **HB 337, HB 462, HB 577, HB 829, HJR 47, HJR 48, HJR 52, HJR 57.**
Signed by the Speaker at 5:00 p.m., May 2, 2007: **HB 337, HB 462, HB 577, HB 829, HJR 47, HJR 48, HJR 52, HJR 57.**
Signed by the Chief Clerk of the House at 11:00 a.m., May 2, 2007: **HB 116, HB 160, HB 353, HB 357, HB 491, HB 592, HB 729, HB 768, HJR 31, HJR 46.**
Signed by the Speaker at 5:00 p.m., May 2, 2007: **HB 116, HB 160, HB 353, HB 357, HB 491, HB 592, HB 729, HB 768, HJR 31, HJR 46.**
Signed by the Chief Clerk of the House at 11:30 a.m., April 26, 2007: **HJR 61.**
Signed by the Speaker at 5:00 p.m., May 3, 2007: **HJR 61.**
Signed by the Chief Clerk of the House at 11:50 a.m., April 26, 2007: **HB 798.**
Signed by the Speaker at 9:00 a.m., May 3, 2007: **HB 798.**
Signed by the Chief Clerk of the House at 9:05 a.m., April 25, 2007: **HB 822.**
Signed by the Speaker at 9:00 a.m., May 3, 2007: **HB 822.**
Delivered to the Governor for approval at 9:13 a.m., May 1, 2007: **HB 406, HB 426, HB 583, HB 683.**
Signed by the President at 10:10 a.m., May 4, 2007: **HB 25, HB 116, HB 160, HB 304, HB 337, HB 353, HB 357, HB 368, HB 462, HB 491, HB 577, HB 592, HB 715, HB 729, HB 768, HB 798, HB 822, HB 829, HJR 31, HJR 46, HJR 47, HJR 48, HJR 52, HJR 57, HJR 61.**
Delivered to the Governor for approval at 10:30 a.m., May 4, 2007: **HB 25, HB 116, HB 160, HB 304, HB 337, HB 353, HB 357, HB 368, HB 462, HB 491, HB 577, HB 592, HB 715, HB 729, HB 768, HB 798, HB 822, HB 829.**
Delivered to the Secretary of State at 10:25 a.m., May 4, 2007: **HJR 47, HJR 48, HJR 52, HJR 57.**

MESSAGES FROM THE GOVERNOR

April 27, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

HOUSE JOURNAL
ADDENDUM
60TH LEGISLATURE

Dear Speaker Sales:

On Friday, April 27th, 2007, I signed the following bills and on Monday morning, April 30th will deliver them to the Secretary of State:

HB 3, sponsored by Representative Franklin
HB 4, sponsored by Representative Musgrove
HB 9, sponsored by Representative Kasten
HB 63, sponsored by Representative Musgrove
HB 136, sponsored by Representative Milburn
HB 259, sponsored by Representative Reinhart
HB 269, sponsored by Representative Rice
HB 299, sponsored by Representative Milburn
HB 425, sponsored by Representative Sesso
HB 514, sponsored by Representative Caferro
HB 609, sponsored by Representative Hamilton
HB 680, sponsored by Representative Cohenour
HB 706, sponsored by Representative Caferro
HB 737, sponsored by Representative Hilbert
HB 738, sponsored by Representative Mendenhall
HB 755, sponsored by Representative Keane
HB 759, sponsored by Representative Hendrick
HB 764, sponsored by Representative Milburn
HB 765, sponsored by Representative Olson

On Friday, April 27th, 2007, I VETOED House Bill 727, and on Monday morning will return the bill to the Secretary of State with a Veto message.

Sincerely,

BRIAN SCHWEITZER
Governor

April 27, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

HOUSE JOURNAL
ADDENDUM
60TH LEGISLATURE

The Honorable Mike Cooney
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Sales and President Cooney:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 727, **“AN ACT REVISING ELIGIBILITY STANDARDS FOR THE MENTAL HEALTH SERVICES PLAN BY PROVIDING FOR CONTINUED ELIGIBILITY FOR THE PURPOSE OF RETURNING TO WORK; AMENDING SECTION 53-21-702, MCA; AND PROVIDING AN EFFECTIVE DATE.”**

HB 727, sponsored by Rep. Lange, amends Mont. Code Ann. § 53-21-702, addressing the delivery of mental health care in Montana and setting criteria for eligibility. HB 727 allows the Department of Public Health and Human Services, in determining continuing eligibility for mental health services, to disregard up to the first \$1,000 of monthly earned income for individuals who have returned to work. The fiscal impact of the bill has been estimated at almost \$600,000 for the coming biennium and \$900,000 for the succeeding biennium.

This is my first veto issued following the adjournment of the 60th Legislative Assembly. I anticipate there will be more to follow.

As Chief Executive for the State of Montana, I am ultimately responsible to the people of Montana for administering the executive branch of government and faithfully carrying out the law. Top among my duties is the sound management of the state’s fiscal resources – resources derived from the taxpayer’s pockets.

Bills passed by the 60th Legislative Assembly are beginning to arrive at my desk for consideration. When bills arrive on my desk, I must consider their policy implications and I must consider their budgetary implications.

Pursuant to the constitutional mandates, 90 days ago, I submitted a balanced budget to the Legislature for its consideration. Today, the Legislature adjourned, *sine die*, without fulfilling its constitutional mandate, to enact a balanced budget. The 60th Legislature failed to enact either a comprehensive spending package or a comprehensive revenue package. I will receive no general appropriation bill from the Legislature appropriating money for the ordinary expenses of Montana’s executive, legislative, and judicial branches of government. I will receive no general appropriation bill appropriating money for Montana’s public schools. I will receive no comprehensive tax legislation.

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In my faithful execution of the laws, I cannot in good conscience sign HB 727. HB 727 is a bill that is commonly referred to as a “cat and dog” bill – a bill that is above and beyond the ordinary expenses of government, a bill that is a new proposal and was not within the executive budget, a bill that would commit the state to ongoing expenditures – when I am unable to consider the bill and see how it fits into the context of the entire state budget. It would be irresponsible for me to sign HB 727 in the absence of receiving from the Legislature a comprehensive, balanced budget.

Because this bill passed with the constitutional majorities, you will be polled by the Secretary of State as to whether to override my veto of HB 727. I urge you to do as I have done here - exercise fiscal responsibility and consider your own constitutional mandates - and sustain my veto.

Sincerely,
BRIAN SCHWEITZER
GOVERNOR

April 28, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Capitol Building
Helena, Montana 59601

On Saturday, April 28, 2007, I signed the following bills and on Monday morning, April 30th will deliver them to the Secretary of State.

HB 95, sponsored by Representative Olson
HB 125, sponsored by Representative Kasten
HB 139, sponsored by Representative Branae
HB 148, sponsored by Representative Grinde
HB 179, sponsored by Representative French
HB 298, sponsored by Representative Hiner
HB 362, sponsored by Representative Olson
HB 461, sponsored by Representative Ebinger
HB 473, sponsored by Representative Ross
HB 490, sponsored by Representative French
HB 556, sponsored by Representative McChesney
HB 574, sponsored by Representative Hiner
HB 611, sponsored by Representative Jacobson
HB 677, sponsored by Representative Arntzen

HOUSE JOURNAL
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On Saturday, April 28th, 2007, I VETOED House Bill 522 and Senate Bill 552, and on Monday morning will return the bills to the Secretary of State with Veto messages.

Sincerely,

BRIAN SCHWEITZER
Governor

April 28, 2007

The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 522, **“AN ACT REVISING THE LAWS GOVERNING THE EXECUTIVE BUDGET; REVISING THE DEFINITIONS OF “NEW PROPOSALS” AND “PRESENT LAW BASE”; REQUIRING CITATIONS FOR ADJUSTMENTS TO THE PRESENT LAW BASE; AND AMENDING SECTIONS 17-7-102 AND 17-7-123, MCA.”**

HB 522, sponsored by Rep. Sinrud, revises the laws governing the executive budget. The bill amends some statutory definitions and requires the executive budget to provide “the statutory citation that provides the legal mandate” for any proposed adjustment to the present law base. It is this latter provision which I find unnecessary, time-consuming, and of insufficient benefit to the legislative review process to warrant the bill.

The executive budget, and the legislative review process of it, are thorough, detailed, and comprehensive. Under current law, if the executive branch were to submit a decision package that was outside an agency’s mission or legal authority absent a corresponding legislative request, the legislative fiscal analysts would be fully capable of highlighting that fact.

However, my real objection to HB 522 is that it presumes the executive budget I submitted to the Legislature was in some technical manner insufficient. Ironically, HB 522 was sponsored by the Chairman of the House Appropriations Committee, who led that Committee into dismantling the executive budget into six pieces. Ironically, too, the Legislature adjourned yesterday because the House Republican majority refused to even place those pieces on second reading for consideration

HOUSE JOURNAL
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by the full body. Frankly, I find HB 522 insulting in its implication that somehow it is the executive budget process that needs improvement.

I urge the Legislature to sustain my veto.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

May 3, 2007
The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 536, entitled AN ACT PROVIDING LICENSE REQUIREMENTS AND PROCEDURES FOR WHOLESALE DISTRIBUTORS OF PRESCRIPTION DRUGS; PROVIDING RESTRICTIONS ON TRANSACTIONS INVOLVING PRESCRIPTION DRUGS; PROVIDING FOR PEDIGREES FOR PRESCRIPTION DRUGS; PROVIDING ENFORCEMENT PROVISIONS; PROHIBITING CERTAIN ACTS; PROVIDING PENALTIES; AND AMENDING SECTIONS 37-7-601, 37-7-602, 37-7-603, 37-7-604, AND 37-7-610, MCA.

House Bill 536 is unnecessary because the Montana Board of Pharmacy currently has the power to protect Montana consumers by regulating or prohibiting the sale of drugs, and because the Federal government already has the enforcement power that this bill attempts to expand to the state. However, this bill if passed may have the unintended consequence of preventing our consumers from purchasing prescription drugs at discounted rates. There is ambiguity in this bill as to whether this law might prevent or compromise Montana's ability to participate in programs that re-import safe but less costly drugs. I do not believe that we should adopt legislation that could in any way restrict such an opportunity for those who cannot currently afford medication.

Sincerely,
Brian Schweitzer
GOVERNOR

May 3, 2007

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The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill (SB) 537, **“AN ACT REVISING LAWS RELATING TO PREPAID LEGAL SERVICES; DEFINING ‘LEGAL SERVICE EXPENSE PLAN’; PROVIDING THAT LEGAL SERVICE EXPENSE PLANS ARE NOT SUBJECT TO THE INSURANCE CODE; AMENDING SECTIONS 33-1-102, 33-1-206, AND 33-17-504, MCA; REPEALING SECTION 33-1-215, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.”**

SB 537 amends Montana laws related to prepaid legal service plans, which are contracts for the provision of legal services between plan administrators and individuals or groups. In 2001, the Legislature first passed legislation to regulate prepaid legal service plans as a type of casualty insurance. The legislation arose because of questions and complaints by both consumers and the marketers involved in the multi-level marketing operations under which the plans often are sold. The 2001 legislation helped provide the consumer protection necessary to assure that the plans were of value and that they were marketed by those licensed to market insurance products.

Now, six years later, SB 537 would remove the classification of these services as a type of casualty insurance. Instead, they would be regulated generally under Montana’s consumer protection laws, but those laws do not provide assurance at the front end that the person marketing the product has the proper professional training to sell the product and that the product being sold has the value that it is represented to have.

I do not believe that SB 537 serves the best interests of Montana’s consumers. I am concerned that if prepaid legal service plans are no longer regulated under Montana’s insurance code, the same complaints and questions about them that arose prior to the 2001 legislation will again arise.

Sincerely,
BRIAN SCHWEITZER
GOVERNOR

May 3, 2007

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The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I veto and return to you the following bills, identified by their bill number and short title:

HB 533 - Increase Coal Board Funding
HB 823 - Distribute Oil and Gas Funds to Counties
Senate Bill 284 - Revise Allocation of Bed Tax and Taxes on Rental Cars

My reason for vetoing each of these bills is the same, and I have stated it previously. Each of these bills involve significant expenditures of money from the State of Montana's treasury. In fact, when added together, the combined loss in the state's general fund revenue would be \$17.4 million over the coming biennium.

As Chief Executive for the State of Montana, I am responsible to the people of Montana for the sound management of the state's fiscal resources – resources derived from the taxpayer's pockets. Because the Legislature failed to pass a comprehensive, balanced budget, I am unable to determine how these measures – all of which constitute new spending or tax laws – square up in terms of Montana's ongoing spending needs and ongoing revenue.

For those bills that passed each house of the legislature by majorities of 2/3 or more, the Secretary of State will poll you on whether to override or sustain my veto. As I have asked before, I again ask you to exercise fiscal responsibility and sustain my veto of these bills.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

May 8, 2007

The Honorable Brad Johnson
Secretary of State
State Capitol

HOUSE JOURNAL
ADDENDUM
60TH LEGISLATURE

Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto Senate Bill (SB) 407, a bill entitled "AN ACT REQUIRING THE DEPARTMENT OF ENVIRONMENTAL QUALITY TO ISSUE A GENERAL PERMIT GOVERNING THE AUTHORIZATION FOR LIMITED DISCHARGES OF WATER PRODUCED FROM COAL BED METHANE EXTRACTION INTO EXISTING IMPOUNDMENTS FOR WATER FOR LIVESTOCK AND WILDLIFE; PROVIDING A WATER QUALITY STANDARD; REQUIRING REPORTS TO THE LEGISLATURE; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

Senate Bill 407 would allow the discharge Coal Bed Methane (CBM) water into unlined ponds, an activity which, especially when coupled with precipitation events, destroys soil capability and threatens any downstream irrigated agriculture and thus threatens an industry that has been a vital to our state's economy for over a hundred years. In addition, the EPA has indicated that if SB 407 becomes law the state could be in violation of federal clean water standards.

Ponds that are used for discharge generally have leakage, and a channel below and between ponds is likely to have flows as a result of the leakage. The salty CBM water will ultimately find its way into designated state waters. For example, the high spring runoff into the Tongue River has an EC twice as high as usual for this time of year, and it is believed that a portion of the increased salt load may be coming from overflow of Coal Bed Methane discharge ponds into tributaries of the Tongue, or flushing of salts that CBM water has added to soils.

Furthermore, if SB 407 were to become law, Montana would likely be in violation of minimum federal water quality standards. EPA has warned us of this, stating that SB 407 "potentially raises concerns about whether important parts of the State's environmental programs meet federal requirements." Specifically, the bill removes beneficial use protections without going through the normally proscribed analysis required by the Environmental Protection Agency, and it exempts Coal CBM discharges into ephemeral channels from non-degradation review.

For these reasons, it is imprudent to allow SB 407 to become law.

Sincerely,

Brian Schweitzer
GOVERNOR

HOUSE JOURNAL
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May 8, 2007

The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I veto and return to you the following bills, identified by their bill number and short title:

HB 798 - Revise Energy Impact Funding for Natural Resource Development and Cessation
HB 822 - Generally Revise Biodiesel and Ethanol Laws

As explained in previous veto messages, my reason for vetoing these bills is that they involve significant expenditures of money from the state's treasury. In fact, the fiscal notes for the bills indicate that passage of HB 798 would cost the state general fund in excess of \$20 million in the coming biennium and thereafter, while passage of HB 822 would cost the state general fund in excess of \$3 million in the succeeding biennium. Without a comprehensive budget, I am unable to determine how these measures fit into the full package based on ongoing spending needs and ongoing revenue.

For those bills that passed the legislature by majorities of 2/3 or more, the Secretary of State will poll you on whether to override or sustain my veto. As I have previously requested, I again ask you to exercise fiscal responsibility and sustain my veto of these bills.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

May 9, 2007

Representative Scott Sales, Speaker
Montana House of Representatives
Helena, Montana 59601

Dear Speaker Sales:

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On Thursday, May 3, 2007, I signed the following bills and delivered them to the Secretary of State:

HB 6, introduced by Kasten
HB 7, introduced by Kasten
HB 8, introduced by Kasten
HB 39, introduced by McNutt
HB 40, introduced by Gallik
HB 49, introduced by Hamilton
HB 69, introduced by McNutt
HB 96, introduced by Kerns
HB 131, introduced by Sesso
HB 141, introduced by Jacobson
HB 155, introduced by Noonan
HB 195, introduced by Lange
HB 240, introduced by Nooney
HB 257, introduced by Lake
HB 278, introduced by Stoker
HB 330, introduced by Bergren
HB 390, introduced by Nooney
HB 426, introduced by Ross
HB 480, introduced by Lake
HB 488, introduced by Jopek
HB 512, introduced by Jones
HB 569, introduced by Rice
HB 583, introduced by Jopek
HB 608, introduced by Olson
HB 616, introduced by McChesney
HB 665, introduced by Arntzen
HB 668, introduced by Stahl
HB 687, introduced by Jones
HB 831, introduced by McNutt
HB 840, introduced by Hilbert

Sincerely,

BRIAN SCHWEITZER
Governor

May 9, 2007

HOUSE JOURNAL
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Representative Scott Sales, Speaker
Montana House of Representatives
Helena, Montana 59601

Dear Speaker Sales:

On Tuesday, May 8, 2007, I signed the following bills and delivered them to the Secretary of State:

HB 116 introduced by Ripley

HB 304, introduced by Furey

HB 353, introduced by McGillvray

HB 357, introduced by Cohenour

HB 406, introduced by Clark

HB 592, introduced by Wilson

HB 715, introduced by Olson

HB 729, introduced by Raser

HB 768, introduced by Gallik

Sincerely,

BRIAN SCHWEITZER
Governor

May 14, 2007

The Honorable Brad Johnson
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Johnson:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill (HB) 577, “**AN ACT STANDARDIZING MEDICAL ASSISTANCE UNDER THE MONTANA MEDICAID PROGRAM TO CHILDREN UNDER 19 YEARS OF AGE; AND AMENDING SECTION 53-6-131, MCA.**”

HB 577 expands the federal poverty level threshold of children for Medicaid from 100% to 133% for children 6 years of age and older and under 19. Currently, only children under age 6 are covered by Medicaid up to 133% of the federal poverty level. The primary reason for my veto of HB 577 is that the Medicaid program is an entitlement program, but state funding for the expansion required

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under the bill is not included in HB 2 - now being considered by the special session of the Legislature. Despite the fact it is not funded, if HB 577 were to become law, it is estimated that the ongoing cost to the state general fund would be close to \$1.5 million in the coming biennium and would exceed \$2 million/biennium by fiscal years 2010 and 2011 and thereafter.

Despite my decision to veto this bill, there is good news for children in Montana, as HB 577 was not the only bill passed by the 60th Legislature addressing children's health insurance. Notably, SB 22 expands CHIP (the Children's Health Insurance Program) eligibility to children whose combined family income is 175% of the federal poverty level, from the current level of 150%. Contemporaneous to issuing this veto of HB 577, I have signed into law SB 22. It is anticipated that under SB 22, 2,100 new children will obtain coverage under the CHIP program. Moreover, funding for the expansion of the CHIP program contained in SB 22 is included in HB 2 – the state budget bill – which is now under consideration by the Legislature in this special session. Additionally, the 60th Legislature passed and I signed into law HB 198, expanding dental care benefits under CHIP to cover significant dental needs beyond those covered in the basic plan.

As well, the Legislature passed and I signed into law HB 406, which will provide state assistance for the creation or expansion of community health centers through state funded grants to the centers. Community health centers serve not only Montana's children but their entire families. Finally, HB 2, in the version currently being considered by this special session of the Legislature, includes nearly \$20 million of increased funding for caseload growth in Medicaid-supported children's mental health services.

In conclusion, while my decision to veto HB 577 was not an easy one, absent funding for the expanded entitlement program under the bill, I believe I had no other choice. On the brighter side, I believe there were many other positive actions taken by the Legislature, which received my support, that will improve the health and lives of Montana's children, and for this I believe we should all be proud.

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

May 25, 2007

The Honorable Scott Sales
Speaker of the House
State Capitol
Helena, MT 59620

HOUSE JOURNAL
ADDENDUM
60TH LEGISLATURE

Dear Speaker Sales:

The list below indicates those regular session bills I have signed and returned to the Secretary of State since May 10, 2007 and those returned without signature (indicated by an "N").

HB 25 , sponsored by Olson	SGND	14-MAY-2007
HB 160 , sponsored by Stoker	SGND	14-MAY-2007
HB 337 , sponsored by Cohenour	SGND	14-MAY-2007
HB 368 , sponsored by Himmelberger	N	14-MAY-2007
HB 462 , sponsored by Sands	SGND	14-MAY-2007
HB 491 , sponsored by Sinrud	SGND	14-MAY-2007
HB 683 , sponsored by Reinhart	N	11-MAY-2007
HB 829 , sponsored by Jones	SGND	14-MAY-2007

Sincerely,

BRIAN SCHWEITZER
GOVERNOR

MARILYN MILLER
Chief Clerk of the House

SCOTT SALES
Speaker of the House